

Exhibit A- **NFLPA-44**



INVESTIGATIVE REPORT

Subject: Ezekiel Elliott

Submitted by:

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Investigations**

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Date: June 6, 2017

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EXECUTIVE SUMMARY

This investigation stemmed from a series of incidents that allegedly occurred from July 16, 2016, to July 21, 2016, in Columbus, Ohio. Tiffany Thompson, a woman who was romantically involved with Ezekiel Elliott, alleged that Mr. Elliott physically abused her on a number of occasions throughout that week. After the last alleged incident, on July 22, she called 911. The police responded to the location of the alleged incident, interviewed various witnesses, took photographs and later prepared an incident report. They did not make an arrest, rather, they referred the matter to the local City Attorney's Office for further investigation. Various media outlets began reporting about this situation that same day. The Dallas Cowboys learned of the alleged incidents from these media reports and they promptly notified the League office. The League's investigation commenced at that time.

The Columbus City Attorney's Office reviewed the case and on September 6, 2016 announced publicly that it was declining to prosecute Mr. Elliott. In his press release, the City Attorney stated, this was "primarily due to conflicting and inconsistent information across all incidents resulting in concern regarding the sufficiency of the evidence to support the filing of criminal charges."¹

The League's investigation consisted of interviewing any relevant witnesses who agreed to be interviewed, and obtaining relevant documents and other evidentiary material. During the course of the investigation, the alleged victim, Tiffany Thompson, agreed to be interviewed on multiple occasions, as did her

¹ See Columbus City Attorney's Office press release dated September 6, 2016, attached as Exhibit 102.

aunt, Elaine Glenn, and other members of her family. Of the many friends of Ms. Thompson who had information relevant to this investigation, only two, Aydin Mason and McKaila Blades, agreed to be interviewed and both were very reluctant to be involved and declined the League's many requests to answer follow-up questions. A number of Mr. Elliott's friends and family met with his attorneys for interviews and subsequently signed affidavits that were submitted to the City Attorney's Office for review, and also later provided to the League. All such witnesses refused to meet with the League's investigators. Most significant of this group of people were Mr. Elliott's father, who in addition to having been present on the last night in question also possessed information about the background of Mr. Elliott's and Ms. Thompson's relationship, and his friend Alvarez Jackson, who was present in Mr. Elliott's home at the time of almost all of the alleged incidents the week of July 16-22, 2016.

Tiffany Thompson's friend, Aydin Mason, also signed an affidavit for Mr. Elliott's attorneys and as stated above, she did agree to an interview with the League's investigators.

Mr. Elliott was interviewed early on in the investigation and maintained that he had never physically assaulted Ms. Thompson in any way. He and his attorneys maintained that any injuries she had on her body on July 22, 2016, at the time the police became involved and took photographs, were from an altercation she had with another woman outside the Columbus, Ohio bar The Social Room as she was leaving Mr. Elliott's birthday party in the early morning hours of July 22, 2016.

In addition to obtaining all the records from the Columbus Police Department and the Columbus City Attorney's Office that were made public, the League's investigators sought to interview various police officers who had been involved in the matters under investigation. This group included the police officers who responded to Ms. Thompson's 911 call on July 22, 2016 and the two off-duty police officers who were present at the time Ms. Thompson had the altercation with the other woman outside The Social Room 1/2 hour earlier. All of these police officers declined to be interviewed by the League's investigators even though the latter two had met with and signed affidavits for Mr. Elliott's attorneys. Robert Tobias, the assistant city attorney who conducted the investigation for the City Attorney's Office, did agree to meet with the League's investigators and a summary of his interview is contained in this report. Finally, a former co-worker of Ms. Thompson's, Matthew White, who had met with Mr. Elliott's attorneys and signed an affidavit, agreed to be interviewed by the League's investigators.

As stated above, the Dallas Cowboys organization became aware of Ms. Thompson's allegations on July 22, 2016, the same day she called 911. They were completely cooperative during this investigation, assisting the League's investigators to arrange interviews with relevant personnel and ultimately, Larry Wansley, their Director of Security, Bryan Wansley, their Director of Player Development, and Jason Cohen, their General Counsel, were all interviewed by the League's investigators. The League was told that the Cowboys organization

did not do any investigation on its own and that no one else at the Cowboys had any firsthand knowledge of what had occurred between Ms. Thompson and Mr. Elliott the week of July 16-22, 2016.

Additionally, David McCain, NFI, Director of Digital Forensic Investigations, imaged both Tiffany Thompson's and her aunt Elaine Glenn's cell phones. Thereafter, Mr. McCain performed a forensic analysis of the two phones that resulted in the League's investigators being able to review tens of thousands of text messages. These text messages included texts exchanged between Ms. Thompson and Mr. Elliott, Ms. Thompson and others, including her aunt Elaine Glenn, and Elaine Glenn's text messages with others, including her text messages with Mr. Elliott. Other digital records were also recovered from the two cell phones, including photographs, screenshots, and call logs. The League also hired an outside forensic expert to examine the evidence recovered from the two cell phones. Joseph Church, the founder and owner of Digital Shield, Incorporated was retained to do this work and provided the League with a report detailing his findings.

During the course of the investigation, the League made repeated requests of Mr. Elliott through his attorneys for "copies of any and all text message communications and phone call logs between Mr. Elliott and Ms. Thompson from July 1, 2016 to the present." (The "present" referring to the date of the League's first written request for this evidence, December 16, 2016.) In addition, the League requested "copies of any and all text message communications between Mr. Elliott and other persons with respect to Tiffany Thompson and the events of July 16, 2016 to July 22, 2016." On May 19, 2017, the League received redacted incomplete copies of the AT&T billing records for Mr. Elliott's two cell phones for the period of July 16, 2016 – December 15, 2016 and, subsequently, on May 24, 2017, received another copy of these billing records with further redactions but no further pages. The July 16, 2016-August 15, 2016 bill reflects that it was 31 pages long; only pages 1-4 and 9-11 were provided to the League. The August 16, 2016 – September 15, 2016 bill reflects that it was 26 pages long; only pages 1 and 9-10 were provided to the League. None of the October 16, 2016 – November 15, 2016 bill was provided to the League. The November 16 – December 15, 2016 bill reflects that it was 24 pages long; the League was only provided with page 10. None of the records provided contained the substance of any text messages, nor the call logs from Mr. Elliott's two cell phones and to date, such evidence has not been provided.

Finally, the League retained two medical experts to examine the evidence obtained during its investigation and to give the League their professional medical opinions based on their many decades of experience in the field of medicine. Dr. Lone Thanning, the former Chief Medical Examiner of the Rockland County Medical Examiner's Office and present President of Forensic Medical Consulting of NY, P.C, provided the League with her opinion based on her over thirty years of experience as a pathologist and Dr. Lorraine Giordano, Associate Attending Physician, Department of Emergency Medicine at Mt. Sinai St. Luke's

Hospital/Mt. Sinai West provided the League with her opinion based on her over thirty years of experience as a clinician.

SCOPE & METHODOLOGY

INTERVIEWS CONDUCTED

- Tiffany Thompson
- Ayrin Mason
- Tessie Thompson
- Robert Tobias, Columbus City Prosecutor's Office
- Tony Thompson
- Elaine Glenn
- McKaila Blades
- Larry Wansley, Dallas Cowboys
- Bryan Wansley, Dallas Cowboys
- Jason Cohen, Dallas Cowboys
- Matthew White
- Ezekiel Elliott
- Rocky Arceneaux

DOCUMENTS AND MATERIALS EXAMINED

See above List of Exhibits.

FACTUAL SUMMARY

TIMELINE

1/13/15	Tiffany and Ezekiel meet in Columbus Ohio
August 2015	They become intimately involved
Oct – Dec 2015	She says they live together
11/12 or 11/13/15	Alleged jaw incident
11/15 or 11/16/15	Alleged tub incident
January 2016	He goes to Florida to work out for the Combine
2/11 – 2/12/16	Aventura incidents – police involved
3/1/16	He starts paying for an apartment and car for her

3/10/16	She finds out she is pregnant and tells him
Late March/early April	She miscarries one of the twins
4/15/16	She aborts the other fetus
4/23 or 4/24/16	Destruction of phone incident
4/28/16	They attend Draft together in Chicago
5/1/16	He goes to Dallas
5/9 - 5/18/16	She visits him in Dallas
5/29 - 5/30/16	She meets him in St. Louis where he is visiting his family
6/3 -6/5/16	She meets him in St. Louis again
6/17 - 6/19/16	He visits Columbus and they see each other
7/16/16	He arrives in Columbus with friend Alvarez – she picks them up at airport
7/17/16	Approx. 5 a.m. – Alleged Facetime incident
7/18/16	Approx. 3 a.m. – Alleged locked out incident
7/19/16	Approx. 9 a.m. – Alleged incident after he stayed out all night
7/21/16	Approx. 4 a.m. –Alleged driving home intoxicated incident
7/22/16	Approx. 2:40 a.m.– Alleged incident in parking lot of Carriage House

COMPILATION OF EVIDENCE IN CHRONOLOGICAL ORDER:

The following compilation of evidence is based upon witness interviews which are summarized later in this report and an analysis of all other evidence gathered during this investigation, which includes text messages, photographs, and police and prosecutor documents.

Background of the Relationship

Tiffany Thompson was born on January 13, 1996. She is a 5'5" female who said she weighed 117 lbs. at the time of her relationship with Mr. Elliott. Mr. Elliott was born on July 22, 1995. He was a college and later Pro football player at the time of their relationship and stood 6' tall and weighed approximately 225-230 lbs. Ms. Thompson and Mr. Elliott met through friends in Columbus, Ohio on Ms. Thompson's 19th birthday, January 13, 2015. By August, their relationship had become intimate. Ms. Thompson described it to the League's investigators as "boyfriend/girlfriend"; Mr. Elliott told the investigators that she was just one of the many girls he was having sex with. He said that they "liked each other," "cared about each other," but were never in a "relationship;" she was never his "girlfriend." He made similar statements to the Columbus Police

Department on July 22, 2016 when they responded to Ms. Thompson's 911 call from the parking lot of Mr. Elliott's residence.²

Recovered text messages make clear that Mr. Elliott was not being truthful in his description of his and Ms. Thompson's relationship. In numerous text messages recovered, Mr. Elliott told Ms. Thompson he loved her and that he had had sex with other girls but she was the one he loved.³ In others, he talked about how he didn't know why he fell in love with her,⁴ how he missed her after one day apart.⁵ In others, he referred to her as his "girlfriend,"⁶ told her that he didn't think he would ever find anyone better to have a "relationship" with,⁷ and at one point after she had said they should break up because they were fighting so much, he said, "Maybe we should take a break. I'm not ready to commit & don't want to put you through this anymore." "I hope one day when you come back to me I'll be your husband."⁸

Ms. Thompson told the League's investigators that she moved in with Mr. Elliott in the fall of 2015 and lived with him until he left to train for the Combine in Florida in January of 2016. Mr. Elliott was living at 1860 Canvasback Lane in Columbus, Ohio during the fall of 2015 and that is the apartment into which Ms. Thompson says she moved. Mr. Elliott and his father both denied that Ms. Thompson ever lived with him there to the Columbus Police Department on July 22, 2016.⁹ They maintained these denials throughout the League's investigation. Ms. Thompson's parents, aunt, and friends all told the League's investigators that Ms. Thompson did live with him there that fall and Ms. Thompson produced some written documentation,¹⁰ a car insurance bill, on which she listed the Canvasback Lane address as her residence, that corroborated her claim. During this period of time, there were nights that Ms. Thompson said she would go back and stay at her parents' house but most nights, she said, she stayed at the Canvasback Lane apartment, not even going home for Thanksgiving that year (2015), but rather spending it with Mr. Elliott.

The inconsistency between the parties as to whether they "lived" together that fall may or not may have to do with everyone's definition of what "living together" is or it may involve one or more people being untruthful about this situation. For the purposes of this investigation, it is not necessary to determine if Ms. Thompson was "living with" Mr. Elliott at 1860 Canvasback Lane. It is clear that she spent a significant amount of nights there and, more importantly, that they were involved in an intimate relationship that continued on

² See Exhibit 12, Columbus Police Department reports.

³ See Exhibit 13, Text messages sent on 5/5/16, 6/12/16, & 6/13/16.

⁴ See Exhibit 14, Text message sent on 6/5/16.

⁵ See Exhibit 15, Text message sent on 6/7/16.

⁶ See Exhibit 16, Text message sent on 5/7/16.

⁷ See Exhibit 17, Text message sent on 5/6/16.

⁸ See Exhibit 18, Text messages sent on 5/6/16.

⁹ See Exhibit 12, Columbus Police Department reports.

¹⁰ See Exhibit 19, Car insurance bill.

and off through the week of July 16-22, 2016. The League has consistently considered violence between people who are involved in an intimate relationship as “domestic violence” and for the purposes of this matter, has done so again.

There are a number of alleged incidents of physical violence that took place between Ms. Thompson and Mr. Elliott prior to the week of July 16-22, 2016. These alleged incidents occurred before Mr. Elliott was an employee of the NFL and therefore before he was subject to the League’s Personal Conduct Policy. Therefore, Mr. Elliott does not face any discipline as a result of any of these incidents. However, they are included in this report because they shed light on the nature of his and Ms. Thompson’s relationship prior to the week of July 16-22, 2016, as well as on their overall credibility.

November 12 or 13, 2015 Alleged Jaw Incident

When Ms. Thompson was interviewed by the League’s investigators, she spoke of an incident that she said occurred before Mr. Elliott went to Florida to work out for the Combine. She said she could not recall the exact date of the incident. She related that they were in the apartment on Canvasback Lane and were arguing about “the past” which Ms. Thompson explained involved girls calling him “when they didn’t need to be calling” and “guys texting me, being in my DMs” (direct messages). She said he “grabbed my arms and yanked me towards him to stop me from walking away from him and I tried to stop myself and my jaw ended up hitting right there on the wall.” She said after this occurred, she Facetimed her friend McKaila (Blades) and told her what happened. She said that McKaila told her to send a photo of her face because she, McKaila, couldn’t see it clearly via Facetime. Ms. Thompson said that she then sent McKaila a picture and McKaila said she could see a bruise. The text messages recovered from Ms. Thompson’s phone did not go back until November 2015, so this assertion of Ms. Thompson’s could not be verified in that manner.

When Ms. Blades was interviewed by League investigators, she told them that she really did not want to be involved in this matter. She denied that this Facetiming call had occurred but said that there were “many times that she (Tiffany) had called me up at 3 a.m. and asked me to pick her up, but she would usually just not be specific and then I wouldn’t hear from her again.” Ms. Blades also said that Ms. Thompson did tell her that she had called the police regarding an incident that happened in Florida. And, finally, in terms of her knowledge of any physical abuse of Ms. Thompson, Ms. Blades said that Ms. Thompson had sent her photographs of bruises on her arms and had said these were from Mr. Elliott grabbing her wrists. Ms. Blades later provided these photographs to the League’s investigators.¹¹ A text message was recovered from Tiffany Thompson’s cell phone that shows that on July 23, 2016, Ms. Blades texted Ms. Thompson at 12:24:18 p.m. saying, “I have precious bruise pictures you’ve sent me if you need them for evidence.”¹² Ms. Blades was never asked about

¹¹ See Exhibit 1A & B.

¹² See Exhibit 76, Text message exchange between McKaila Blades and Tiffany Thompson 7/23/16.

this text message, so it is unknown if she was referring to the two photographs she sent to the League's investigators or additional photographs.

The photographs that Ms. Blades provided to the League are attached as Exhibits 1A & 1B. No meta data could be recovered from these photographs so the exact date, time and place they were taken cannot be established. Ms. Thompson told investigators that 1A was taken in Mr. Elliott's apartment and 1B was taken in her parents' home, both on dates unknown. The two photographs depict the arms of an individual whose face is not shown in the photographs but who Ms. Thompson has identified as herself. Exhibit 1A shows the biceps area of a right arm. Ms. Thompson is wearing a gray short-sleeved T-shirt and the background of the photo is gray in color. Dr. Thanning said that Exhibit 1A appeared to depict a group of three light small bruises that might be fingermarks. She said there might be additional bruising depicted in the photograph but that it was hard to discern whether other areas of darker discoloration were bruises or shadows from the lighting in the photo. (The doctors both use the word "artifact" when referring to such shadows in the photographs.) Dr. Giordano stated that she could discern two small round and oval areas of redness on the medial aspect of the right upper arm that she said could be consistent with bruises. She went on to state that given their size and the fact they are adjacent to each other, they could be consistent with grab marks.

Exhibit 1B shows the front of the left arm from the top of the shoulder through the pinky side of the hand. No shirt sleeve is visible in the photo. The background of the photo is tan in color. The arm is bent at the elbow. Dr. Thanning stated that there are visible bruises on the forearm and on the biceps and that there may be additional bruising depicted in the photograph but, as in Exhibit 1A, it is hard to discern whether other areas of darker discoloration are bruises or shadows from the lighting in the photo. Dr. Giordano stated that on the underside of the left mid-forearm there is an oval reddish-purple area without distinct edges, possibly consistent with a fresh bruise. She also stated that there may be a bruise on the biceps as well but that it was difficult to accurately state based on the lighting in the photo.

Tessie Thompson, Ms. Thompson's mother, told the League's investigators that there was a time that she saw bruising on her daughter's wrists and arms and that this was around Thanksgiving or Christmas 2015. She said she asked her daughter about these bruises and that Tiffany told her that she had run into something. Mrs. Thompson told the investigators that she did not believe this story as the marks were "clearly fingerprints." She said that Tiffany then changed her story and said that "Ezekiel had picked her up and carried her" which Mrs. Thompson said, "didn't make any sense." Mrs. Thompson was specifically asked if she recalled Tiffany ever telling her that Ezekiel had bruised her cheek and she said that she did. She said that Tiffany told her that Ezekiel had grabbed her and pushed her up against a wall. Mrs. Thompson said that she could not see the bruise because Tiffany had so much makeup on that day.

A text message exchange between Tiffany and her Aunt Elaine (Elaine Glenn) would seem to corroborate that this “jaw” incident occurred. On November 14, 2015, at 2:43:50 p.m., Tiffany texted her Aunt saying, “I just ended things with Zeke completely. I’ve never been so hurt before.” Aunt Elaine asked “why” and Tiffany replied, “I looked at all of his social media sites and he’s been talking about trust well I can’t trust him what so ever,” “Telling girls to come stay with him and giving his number out freely I can’t do it,” “We fought last night I slept on the couch he grabbed my arms so tight and I tried to get him off of me well when he was pulling me in to him I busted my jaw on the corner of the wall.” Aunt Elaine’s response was to ask her, “So where are you going to live if your not staying with him.” Tiffany responded: “I’m staying here tonight because of ace and then I’m going back home.”¹³

Ms. Thompson also told the City Attorney’s Office that there had been a time that Mr. Elliott “yanked me into the wall, busted the side of my jaw on both edges, my face was swollen, and a little bit bruised and then I had thumbprints on my hand.”¹⁴

Both Drs. Thanning and Giordano concurred that the injury Ms. Thompson told the investigators and the City Attorney’s Office that she suffered is consistent with her face having hit a wall with some degree of force but that such a bruise is also consistent with other mechanisms of injury such as an incidental contact with a hard object.

November 15 or 16, 2015 Alleged Tub Incident

The second alleged incident of physical violence that occurred between Mr. Elliott and Ms. Thompson occurred during the week of November 21, 2015. Ms. Thompson told the League’s investigators that she and her friend Riley were talking in the bathroom of the Canvasback apartment when Mr. Elliott came in and she and he began arguing. She said he “goes to grab me and pushes me enough to where I fall back in the bathtub and hit my head on the bar soap thing.” She said that this occurred in November 2015 and that the next day she went to the hospital, not for treatment for having hit her head, but because she had a fever and was throwing up. She told the investigators that she was told at the hospital that she had a concussion and gave investigators her discharge paperwork dated November 16, 2015 that included a “concussion protocol” form.¹⁵ Ms. Thompson told the investigators that this same week, Mr. Elliott got hospitalized for a few days and that this was the week before the Michigan State game. The League’s investigators established that the 2015 Ohio State-Michigan State football game was November 21, 2015. Investigators also found media reports that Mr. Elliott was indeed hospitalized for a few days the week before that game.

¹³ See Exhibit 20, Texts messages sent on 11/14/15 starting at 2:43:50 p.m.

¹⁴ See Exhibit 21, Columbus City Attorney’s Office Intake report.

¹⁵ See Exhibit 22, Ohio Health Systems Discharge form & Concussion Protocol dated 11/16/15.

Ms. Thompson's mother told the League's investigators that her daughter told her about having sustained a concussion and that her daughter had this concussion at the same time that Mr. Elliott was in the hospital for a football injury and that her daughter first told her about it the week before Mr. Elliott was admitted to the hospital. She said that her daughter first said that she had fallen in the tub and hit her head on the soap dish. Mrs. Thompson told the investigators that she kept pressing her daughter, but her daughter stuck to this story. Mrs. Thompson said months later, "she finally told the truth. She said he pushed her in the tub, and she fell and hit her head on the soap dish."

Ms. Thompson's father told the League's investigators that he recalled his daughter having a concussion because Mr. Elliott pushed her into a tub, but Mr. Thompson recalled this as happening in April of 2016, not in November of 2015 when the hospital discharge records evidence it. He said his daughter's first version to him was that she and Mr. Elliott had gotten into an argument and she tripped and fell down the stairs. On a later date, Mr. Thompson said his daughter told him, "I couldn't control Ezekiel and he pushed me into a tub."

When Ms. Glenn was re-interviewed on April 7, 2016, she told the League's investigators that Ms. Thompson had explained her concussion to her aunt by saying that she and Mr. Elliott were always out, doing drugs together and she had been partying and she had broken her heel and had fallen down some steps. Ms. Glenn could not recall when Ms. Thompson had told this to her. A text message exchanged between Ms. Glenn and a friend Amber King on November 23, 2015 discussing Ms. Thompson's concussion was recovered from Ms. Glenn's cell phone. During the text conversation, Ms. Glenn told Ms. King that both Ms. Thompson and Mr. Elliott had been in the hospital that week. In response to Ms. King's question about why Ms. Thompson had been in the hospital, Ms. Glenn stated, "She has been partying so much that she passed out and hit her head. Got a concussion."¹⁶ Ms. Glenn said that Ms. Thompson never told her that Mr. Elliott was responsible for her concussion.

No other witnesses interviewed provided any information about this tub incident and no texts were recovered that referenced it. This is not surprising as Ms. Thompson told the League's investigators that she did not tell anyone about this incident when it occurred. In addition, no witness told the investigators that any photographs related to this incident were taken and no photographs were recovered that appear to be connected to it.

Dr. Giordano said that it would be standard practice in an Emergency Department to ask a patient who was vomiting and reported a headache whether she had any recent head trauma. Dr. Giordano further stated that the hospital in Columbus might have diagnosed Ms. Thompson with a concussion based on the symptoms that she described in the setting of a head trauma history. Both Dr. Thanning and Dr. Giordano

¹⁶ See Exhibit 98.

told the League's investigators that suffering a concussion is a possible result of striking one's head against a hard object like a soap dish. Dr. Thanning said that it is certainly possible that Ms. Thompson could have sustained a concussion from the event she described and not have realized it on her own; that the hospital may have diagnosed it based on symptoms such as headache and nausea going back to the time she struck her head on the soap dish. She said that hitting one's head hard enough to cause a concussion would not necessarily cause unconsciousness or a laceration. Dr. Giordano concurred in this statement.

February 11 – 12, 2016 Aventura Florida Alleged Incidents

In January 2016, Mr. Elliott went down to Aventura, Florida to work out for the NFL Combine. The second week of February 2016, Ms. Thompson went to Aventura to visit him. This trip was paid for by Mr. Elliott. They stayed together at an apartment located at 3300 NE 191st Street in Aventura.

On February 12, 2016, Ms. Thompson called 911 stating to the operator, "I got hit by my boyfriend."¹⁷ Ms. Thompson explained to the League's investigators the background to her call as follows: She said that the argument that led to her being assaulted by Mr. Elliott had started the night before; that she had gotten upset while they were out at a club with Mr. Elliott's agent Drew because Mr. Elliott and Drew were whispering to each other, she believed, about other women Mr. Elliott had been with. She said she took a cab back to the Aventura apartment by herself and was packing up her things to leave when Mr. Elliott got back to the apartment and she and Mr. Elliott began arguing. She said that he kept pushing her into the mirrored doors of the closet in the spare bedroom; that he then pushed her up against a wall and said, "I'm done with you. I'm going to bed." She said he went to bed and she continued packing so she would be ready to leave the next day. She said she woke up the next day around noon; that Mr. Elliott was still sleeping. She said she then went to the mall. She said during the day, she had been texting with Joey Bosa, one of Mr. Elliott's Ohio State teammates. She said when she got back to the Aventura apartment, Mr. Elliott confronted her about her texting with Mr. Bosa, as he had heard about it from Mr. Bosa. Ms. Thompson said that Mr. Elliott threw her shoes off the balcony and her other stuff outside the front door and that when she tried to go back into the apartment to retrieve some additional belongings, he shoved her with his open hand in her chest into a wall and elbowed her. She said she then called 911.

What Ms. Thompson told the League's investigators about why she called 911 on February 12, 2016 is the same thing she told the 911 operator when she made the call. When Ms. Thompson called 911, she told the 911 operator, "I got hit by my boyfriend." The 911 operator asked her where he had hit her and Ms. Thompson responded, "My left chest." The 911 operator asked her if he had done this with his hands and Ms. Thompson replied, "Yes. And he actually pushed himself into me (UI)¹⁸, against the wall." The 911 operator

¹⁷ See Exhibit 23, Aventura Police Department 911 call 2/12/16 transcript.

¹⁸ There are a few unintelligible words at this point of the recording.

asked her if she wanted paramedics to come check her out and Ms. Thompson said, "Yeah, I think I do." The 911 operator then asked her if he had punched her in the chest or used an open hand and Ms. Thompson responded, "Open." The 911 operator asked her what they had been arguing about and Ms. Thompson told her, "Because I texted one of his old teammates." When asked by the 911 operator had he ever hit her in the past, Ms. Thompson said, "He's pushed and shoved me." The 911 operator then asked when was the last time, and Ms. Thompson responded, "It was a couple of months ago."¹⁹

The police reports reflect that Ms. Thompson told the arriving police officers that she and Mr. Elliott had had a verbal argument that had turned physical over "a social media incident."²⁰ Ms. Thompson told the League's investigators that she was referring to her Facebook texting with Joey Bosa. The police reports reflect that she went on to tell the officers that Mr. Elliott had pushed her up against a wall and that the force of the push had left her with left shoulder pain. The reports say that the police summoned medical personnel; that they observed no visible injury; that she did not want to go to the hospital and that they left her with an icepack for her shoulder. The report states that Mr. Elliott also told them that the argument began over "a social media incident" and that Ms. Thompson became upset when he wanted her to leave, that he tried to go into his room and she grabbed him about the waist and that he pushed her off of him.²¹

The police wrote in their report that they did not make an arrest because of the conflicting stories and because they observed no injury on Ms. Thompson. Ms. Thompson told the League's investigators that she had no visible injury, but that she felt chest and shoulder pain as a result of this incident.²²

Both Dr. Thanning and Dr. Giordano told the League's investigators that one might feel chest and shoulder pain from being elbowed or pushed in those areas of the body or from the body striking a blunt object, such as the closet doors or the wall, and that such pain or tenderness might not necessarily leave a visible injury or one that would be visible to the police who arrived 10 minutes later. Both doctors concurred that such pain or tenderness could result from other modes of blunt force trauma as well. Dr. Thanning also stated that given their relative heights, for Mr. Elliott to have struck Ms. Thompson in the chest with his elbow, he would either have had to stoop down or have his arm lower than 90 degrees at the time of impact. Dr. Giordano concurred with this assessment.

When Mr. Elliott was interviewed by the League's investigators, he was not asked specifically about this incident. However, he was asked if Ms. Thompson had ever called the police on him before July 22, 2016 and he replied, no; that she had said she had, but not that he knew of for sure. Obviously, this statement is

¹⁹ See Exhibit 23.

²⁰ See Exhibit 24, Aventura Police Department report 2/12/16.

²¹ See Exhibit 24.

²² See Exhibit 24.

untrue given the police records of Ms. Thompson's 911 call and the police response on February 12, 2016 which included the police questioning Mr. Elliott.

Further evidence regarding the incident on February 12, 2016 is provided by Ms. Thompson's parents and aunt. Ms. Thompson called both her parents and her Aunt Elaine during the incident on February 12, 2016. Her mother told investigators that her daughter told her that she had called the police because Mr. Elliott had "put his hands on her." Mrs. Thompson said that she could hear Mr. Elliott in the background yelling but she could not tell what he was saying. She said that her daughter was crying and was very upset and that her daughter said to her that Mr. Elliott had grabbed her and was throwing her stuff off the balcony. Mrs. Thompson said that her daughter had to get off the phone because the police had arrived. Mr. Thompson told investigators that he spoke to his daughter after the police left and that she told him that Mr. Elliott had choked her and thrown her clothes off the balcony. Mr. Thompson is the only person who has stated that Ms. Thompson reported being choked during this incident.

Ms. Thompson's Aunt Elaine (Glenn) told investigators that Ms. Thompson called her during the incident and said that Mr. Elliott had hit her. Ms. Glenn said that she could hear Ms. Thompson and Mr. Elliott arguing. She said she heard Ms. Thompson say, "I need my wallet" and Mr. Elliott telling her to leave. She said Ms. Thompson told her that Mr. Elliott was throwing her things out the door. She said Ms. Thompson later told her that Mr. Elliott had pushed her.

There are numerous text messages between Ms. Thompson and her Aunt Elaine on both February 12 and February 13, 2016. The texts on the 12th are mostly about finding Ms. Thompson a hotel to stay in that night. The texts on the 13th discussed among other things that Aunt Elaine had been in touch with Mr. Elliott and Aunt Elaine said to Ms. Thompson that Mr. Elliott was worried about her. Ms. Thompson responded to her aunt, "If he was then he would've never shoved me never screamed never threw all my stuff out. He just messed with my head even more." In another text exchange with Aunt Elaine on February 12, Ms. Thompson stated that her "pressing charges made me lose him."²³

Also recovered from Aunt Elaine's phone was a screenshot Ms. Thompson sent her Aunt Elaine on February 17, 2016, of a text message she, Ms. Thompson, had sent to Mr. Elliott, that stated:

... I saw your emotions when I was down in Florida spending time with you how they changed when my mood changed. I was so numb and my head was all over the place all I was thinking about was my childhood when I was talking to the police questioning why my mom never did what I was doing because she actually had bruises on her and blood all over her face and cuts..."²⁴

²³ See Exhibit 25, Text messages exchanged between Tiffany Thompson and Elaine Glenn 2/12/16-2/13/16.

²⁴ See Exhibit 26, Screenshot of text sent by Tiffany Thompson to Ezekiel Elliott and subsequently sent to Elaine Glenn on 2/17/16.

Ms. Glenn explained to the League's investigators that Ms. Thompson's father used to abuse Ms. Thompson's mother and that she felt this is one of the reasons Ms. Thompson stayed with Mr. Elliott, because she had seen this in her house growing up.

Finally, a text message exchange recovered from Ms. Thompson's cell phone evidences her talking about this incident to her friend B Shook. On July 22, 2016, Ms. Thompson received a text from her friend B Shook asking her if she was okay and "did that happen last night?" This was just hours after she had called 911. She responded, "No. It's been happening since Saturday night" and "It's been happening since February. I called the police in Miami when he touched me but they took his side because I had no bruises just was red."²⁵

After this incident in Aventura, Ms. Thompson and her Aunt Elaine said that Ms. Thompson and Mr. Elliott did not speak for the next few weeks, however, Mr. Elliott frequently texted with Ms. Thompson's Aunt Elaine Glenn. This is borne out by the text messages recovered.²⁶ In the text messages between Mr. Elliott and Aunt Elaine Glenn, both of them expressed that they wanted to help Tiffany and that her living with her parents was a bad situation. Ms. Glenn stated to the investigators that her text to Mr. Elliott stating that Ms. Thompson, "needs help,"²⁷ referred to Ms. Thompson needing help getting away from her parents. All parties agree that Mr. Elliott ended up financing an apartment in Dublin, Ohio and a car for Ms. Thompson so she could live on her own. From the 29th of February through the end of July 2106, Mr. Elliott had money transferred through a QuickPay account²⁸ to Tiffany to pay for both of these things.

Ms. Thompson and Mr. Elliott started directly communicating again in early March. In one such communication, after she had indicated disbelief in what he said he was doing, he said to her "I want you to sit and really think about if you want to be with me..."²⁹

On March 10, 2016, Ms. Thompson found out she was pregnant and she texted her Aunt Elaine a photo of the positive pregnancy test and discussed telling Mr. Elliott.³⁰ She subsequently found out that she was carrying twins. During the next month, there was much communication, as evidenced by text messages, about whether she should have these babies or not. Mr. Elliott expressed that he did not want her to; she, at first, expressed wanting to have them. He wanted her to have an abortion; her aunt was adamant that she should not do so, that it was a sin. Ms. Thompson ended up miscarrying one of the twins in late March/early April. In mid-April, she went to Chicago with her friend Shelia and Mr. Elliott's friend Alvarez and she got the medication to abort the second twin.

²⁵ See Exhibit 79, Text message exchange B Shook and Tiffany Thompson 7/22/16.

²⁶ See Exhibit 27, Text messages exchanged between Elaine Glenn and Ezekiel Elliott 2/12/16-4/13/16.

²⁷ See Exhibit 27.

²⁸ See Exhibit 28, QuikPay records.

²⁹ See Exhibit 29, Text message from Ezekiel Elliott to Tiffany Thompson dated 3/9/16.

³⁰ See Exhibit 30, Text message from Tiffany Thompson to Elaine Glenn dated 3/10/16.

April 24, 2016 Alleged Phone Incident

On April 24, 2016, there was another alleged incident of physical violence between Ms. Thompson and Mr. Elliott. Ms. Thompson told investigators that Mr. Elliott had come into town (Columbus) and had flown a girl in to be with him; that they were all at a club that night and there came a time when Mr. Elliott started yanking Ms. Thompson by her arm away from some men she was hanging out with. She said that he did this multiple times and that the bottle girl saw this and came up to her and asked her if she was okay. Ms. Thompson said that she and her friend Shelia then went to Mr. Elliott's apartment in an Uber and then Shelia went home and Ms. Thompson went inside. Ms. Thompson said while inside, Mr. Elliott was on Facetime with Braxton Miller at which point Shelia called her on the phone. She said that Mr. Elliott demanded to know who was calling her at 3 a.m. She said she told him it was Shelia and that Mr. Elliott ended up talking to Shelia on the phone. Ms. Thompson said that Mr. Elliott then demanded that Ms. Thompson unlock her phone. She said she refused and he grabbed her hair and yanked her head back hurting her neck, so she unlocked her phone and he started going through it and saw that other guys had been texting her. She said he then slammed the phone on the counter smashing it, put it under hot water in the sink, threw it across the room and then retrieved it and tried to break it in half. Ms. Thompson gave the League's investigators the phone she said he did this to and it appears both smashed and twisted. A photograph of this phone is attached as Exhibit 32.³¹

After Mr. Elliott smashed her phone, Ms. Thompson told investigators that she wanted to leave Mr. Elliott's apartment but he said she could not. She said that Mr. Elliott pushed her into the sofa and the coffee table when she tried to leave. She said she ended up staying the night. Ms. Thompson said she had visible injuries after this and that she took pictures of them the next day in her Dublin apartment. These photographs were recovered during the forensic analysis of her phone and the metadata confirms that they were taken on April 24, 2016 between 9:25 and 9:27 p.m. in the area of her Dublin apartment.³² These photographs show bruises on her left wrist, left arm, right arm and her leg.

Both Drs. Thanning and Giordano had an opportunity to view digital copies of the photographs taken by Ms. Thompson on April 24, 2016. Exhibit 2A, the photo taken first, at 9:25:33 p.m., Dr. Thanning said showed six visible bruises on the left forearm. She said the one closest to the wrist appeared to her to be "resolving" somewhat and had a yellow-green hue and therefore may be older than the other five, she would estimate several days to a week old. She said the other five appeared to be "recent bruises." She said it was reasonable to infer that these bruises occurred in the early morning hours of the same day. Dr. Thanning explained that bruises, also called contusions, generally start out red, over time they turn purplish-red and their edges begin to diffuse and eventually the bruise fades away entirely. As they age, they begin to appear yellowish-

³¹ See Exhibit 32, Photograph of Tiffany Thompson's damaged cell phone.

³² See Exhibits 2A-2D.

green and brown in color. She said that everyone bruises differently, some more easily than others, and their rate of healing also differ, but the general progression of healing, as she described, is the same. Dr. Giordano concurred in this opinion and further added that the following factors affected how people both bruise and heal from bruises, age and sex of the person, their skin color, the amount of force used, the depth of the pressure applied, the size of the injury, medications being taken, and the blood circulation at the site of the injury. She said that it is very hard to date a bruise with total specificity and that the only way to totally accurately do so is to examine the bruised tissue under a microscope as a pathologist does in connection with an autopsy. Dr. Thanning also stated that some people have bruising conditions such as coagulopathy, a blood coagulation condition, that affects how they bruise. And she finally added that excessive alcohol consumption such as one sees in alcoholics can lead to liver disease which can cause a coagulation problem.

With respect to the five bruises she identified in Exhibit 2A that she believed to be "recent" injuries, Dr. Thanning said she based this conclusion on their pink to light blue color and the fact they did not appear to have diffused. She said that these five bruises together appeared to be "typical grab marks." She said that the larger one in the center of the forearm was consistent with a large thumb having grabbed the arm in that location and that the other four smaller bruises, one immediately to the right of this apparent thumb mark, and the other three directly below, were consistent with fingers having grabbed that area of the arm. Dr. Giordano stated that she observed five bruises in this photograph, two larger bruises on the underside of the forearm and three smaller ones below those on the outer aspect of the forearm. She stated that the one closer to the elbow appeared more diffused and fainter in color as the others and therefore it might be older in age. The others she said all appeared "recent" to her. She agreed with Dr. Thanning that these bruises were consistent with grab marks.

In Exhibit 2B, Dr. Thanning said that she observed four small bruises on the lower inside aspect of the left leg and that these bruises also appeared to be "grab marks." She said their appearance was consistent with a thumb and three peripheral finger marks. She said that one of those bruises, the one that appeared lowest on the ankle, is larger than the others and would be consistent with a large thumb. She said that the bruises in 2B appeared to her older than the ones in 2A, perhaps 4-7 days old. Dr. Giordano also observed four bruises in this photograph that she said they appeared in somewhat of a circular pattern. She said that the one on the far left had an associated linear component that might have been a healing abrasion. She said that parts of this bruise were green-yellow indicating that it was not a recent bruise. She said that Dr. Thanning's conclusion that these bruises appear to be a grab mark makes sense and if correct, then the linear wound on the far left that she, Dr. Giordano, had identified as a possible healing abrasion could have been a fingernail scratch.

Exhibit 2C Dr. Thanning said showed one larger, approximately 3" bruise area on the underside of the right arm, which when blown up, appears to actually be three bruises, one a little larger than the other two. She

said that this bruise appeared to have been the result of multiple blunt force traumas to that area which could have occurred simultaneously or in separate acts. She based this on what she observed to be its “three-pronged appearance.” She said it did not appear consistent to her with an injury that had been inflicted 17-18 hours earlier, in other words at approximately 3:00 a.m. that morning, the time of the alleged “key incident” but rather appeared to be a few days old. Dr. Thanning said that she based this opinion on the fact that the bruise in the photograph appeared to have an “irregular outline” and stated that that occurs when a bruise is beginning to heal. She said that this could be a grab mark, with the larger of the three bruises being a thumb. Dr. Giordano agreed with Dr. Thanning’s conclusion that this was an older bruise as she too observed that it appeared to be “diffusing” around the edges. She also said that because of its location on the ulnar side (pinky finger side) of the forearm, it was consistent with a defensive injury, as when someone wards off a blow by raising the arm. This injury could be consistent with a grab mark as well, given pattern described above.

Finally, with respect to 2D, Dr. Thanning said that this photograph showed two bruises on the outer aspect of the lower left leg. Dr. Thanning felt that these bruises were a little older than some of the others seen in this series of photos. She said the bruises in 2D already appeared to be disappearing, “resolving,” that they were not contiguous and were starting to “organize” and heal. She stated that this, as well as their purple color, are consistent with a bruise of 4-6 days in age, not one that occurred that morning. Dr. Thanning also said that this might have been a “grab mark” but she could not tell for sure due to its appearance at this stage of healing. Dr. Giordano also observed two bruises in this photograph but said that she was unable to render an opinion about the age. Further, she observed that these bruises were linear in appearance and would be consistent with that part of the leg coming into contact with a linear object such as a coffee table or low bed however she said that she would need to know what those items of furniture in Mr. Elliott’s apartment looked like to be able to conclude that the location of the injuries she saw in the photograph were consistent with Ms. Thompson having been pushed into the bed or the coffee table by Mr. Elliott, as Ms. Thompson had told the investigators she had been.

Additional evidence regarding this incident consists of the following: Ms. Thompson said that Mr. Elliott replaced her destroyed phone and gave investigators the receipt evidencing that. The receipt is from Best Buy in Dublin, Ohio and is for an iPhone 6S Plus charged to the Visa card of Ezekiel Elliott. It is dated April 24, 2016 at 17:59 p.m.³³ An instant message exchange was also recovered from Elaine Glenn’s phone that was sent to Ms. Glenn by Ms. Thompson’s friend McKaila Blades on July 19, 2016 referencing how Mr. Elliott replaces Ms. Thompson’s cell phones after he has destroyed them after having found something he did not like on them. The context for this exchange was Ms. Glenn telling Ms. Blades that she was worried about her niece; that her niece had sent Ms. Glenn photographs of injuries she said Mr. Elliott had inflicted on her.

³³ See Exhibit 33, Best Buy receipt dated 4/24/16.

Ms. Blades stated, "He had to have found something out that she did, he always gets her a new phone when he smashes it or something."³⁴

Ms. Thompson told the League's investigators that a few days after this cell phone incident, she attended the NFL Draft in Chicago with Mr. Elliott and his family and she gave investigators pictures of them there together.³⁵ The first day of the 2016 draft was April 24, 2016, four days after the April 24 incident related above. Mr. Elliott was drafted in the first round by the Dallas Cowboys and on May 1, flew to Dallas. Ms. Thompson went to visit him in Dallas for two weeks in May. While there one night, Ms. Thompson said, they had a "threesome" and thereafter a verbal argument because Ms. Thompson wanted the other woman to leave the hotel room. She said Mr. Elliott grabbed her by the shoulders and pulled her close and told her she needed to "chill out." She said she went to take a shower and the girl left.

Ms. Thompson told the investigators that she and Mr. Elliott were still a couple after this trip. She said that over the next few weeks, they were "off and on." Their text messages back and forth from May 2 – June 20 reflect a pattern of break ups and getting back together, jealousy of who the other one is out with and sleeping with. They were both checking each other's social media accounts and phone locators. During that period of time, he twice asked Ms. Thompson to meet him in St. Louis where he was going to see his family; both times she did so. Their text messages reflect that they had an argument while she was on the second of these two trips. She returned to Columbus on June 19. On June 20, he talked about ending things and for the next few weeks, they texted but he continued to say in the text messages that they were not together. During this time period, they took turns blocking each other's phone numbers and expressing jealousy over who they saw the other with on social media.³⁶

July 2016 – Weeks Leading up to the Alleged July 16-22 Incidents

Ms. Thompson's grandmother died in early July and the text messages between Mr. Elliott and Ms. Thompson reflect that she asked Mr. Elliott to come back to give her emotional support.³⁷ He agreed to do so. On July 10, he texted her that he would be there "for" her but that is different than being "with" her. He said he couldn't be with her anymore but they would spend time together when he came and they would have

³⁴ See Exhibit 34, Text message exchange between McKaila Blades and Elaine Glenn, 7/19/16.

³⁵ See Exhibit 11A & B.

³⁶ See Exhibit 35, Text messages exchanged between Tiffany Thompson and Ezekiel Elliott 6/20/16.

³⁷ All text messages starting July 1, 2016 between them that are referred to in this report were recovered from Ms. Thompson's cell phone. Repeated requests were made to Mr. Elliott's lawyers for the text messages between the two for the period of July 1 continuing through mid-December 2016. While some text messages from September were provided, no texts between them from July 1 – July 31, 2016 were ever provided. In May 19, 2017, the NFLPA provided redacted copies of cell phone billing records from Mr. Elliott's two cell phones. These records did not include the substance of any text messages, nor the call logs that had been requested by the League.

"a good time."³⁸ On July 11, she texted him that she could get him from the airport when he arrived depending on what time he got in, but she could not see him Friday or Saturday. She said other than taking him home to get his keys from her, he should "I have a good day." He responded in a series of texts that seem to show he had had a change of heart and now wanted to try and get back together. He stated:

Why can't you see me?

Can you please stop bottle serving?

Like this whole shit made me realize I can't be done with u. Like u are the only person I really feel comfortable talking to about anything. Like how do I push us out of my life when u ar the first one I come to when I have a problem, I'm sorry things were just really really hard but that shouldn't have been a reason to give up

I honestly I'm sorry it took something like this to show that but I realize now and that's all that matters honestly

I'm sorry for all I've put u through³⁹

Ms. Thompson responded to this series of texts the next day, July 12, saying:

I can see you. But I just want you to know this time you've completely broken me. I'm lost for words honestly. Everything that you have said to me in our past arguments has destroyed me. Rather we want to admit it or not we have lost standards from each other. I mean that by everything that we have put each other through we have no secure foundation to our relationship anymore. I love you more than the world Ezekiel but I can't do the games anymore, the fighting, lying etc. I'm just numb to it now. We can't keep going back and forth saying we're done and not done. I need respect and trust from you. You don't know how much you mean to me and how much I care and I just want the same in return.

& for bottle serving, I have to do it until I make enough to pay off all my bills that I have⁴⁰

Mr. Elliott responded to her, "but if you wanna be done just let me know," to which she replied:

I don't wanna be done but it's really going to take me sometime to regroup. I can only do that by how things go with us from here on out. I just want you happy and myself happy. Actions speak louder than words so just a simple I'm sorry isn't going to fix what you just put me through.

He replied:

Alright well I'm coming back to Columbus Friday I think. I know I told u I would for sure but rocky literally just told me I may have a photo shoot in the morning for 40k so I kinda gotta do that. I told him to make it as early as possible

³⁸ See Exhibit 36, Text messages exchanged between Tiffany Thompson and Ezekiel Elliott 7/10/16.

³⁹ See Exhibit 37, Text messages exchanged between Tiffany Thompson and Ezekiel Elliott 7/11/16-7/12/16 .For their entire conversation those two days, see Exhibit 101.

⁴⁰ See Exhibit 37.

But imma stay in Columbus for a while actually. I'm not going to Vegas anymore so idk I'll Be around⁴¹

On July 15, the day before Mr. Elliott came back to Columbus, they again spoke about trying to work out their relationship, and again Mr. Elliott seemed to be the one pushing to get back together. He talked about how he would not be able to see her again until camp was over and said, "I'm coming back," "And I'm seeing you," "I miss you please," to which she replied, "yeah not a good idea." He responded, "why not," "so you don't wanna work on things?" She responded that "working on things is old." Their texts continued on in this vein and left off that he would see her Friday.⁴² As it turned out, he did not fly into Columbus until Saturday, July 16. Apparently, he missed the first flight he had told her he was going to be on that day as text messages recovered from Ms. Thompson's phone show him apologizing for having missed the flight. He told her to "calm the fuck down" and said, "Let me know if u want get me or not" and "Love u I really am looking forward to seeing u." ⁴³

On May 19, 2017, the NFLPA provided the League with Mr. Elliott's AT&T phone bill for the period of July 16 – August 15, 2016.⁴⁴ These billing records reflect information for two different phone numbers Mr. Elliott was using, 214-886-7271 and 614-44-2003. These records regarding both phone numbers have large areas redacted which the NFLPA stated in their cover email involved communications to and from people other than Tiffany Thompson. In terms of records of text messages between them, the only entries for that week that were not redacted were on July 21 between 10:07 and 10:08 p.m. These were four incoming texts from Tiffany Thompson, two at 10:07 p.m. and two at 10:08 p.m. The records showed the dates and times of these texts, but not the substance of them. As the evidence recovered from her phone shows, there were many more texts between them that week. Therefore, it is obvious the phone records provided by the NFLPA do not reflect all their text communication during that week. This may have to do with how AT&T does its billing for texts as even the blacked out redacted areas do not look large enough to have contained entries for every text message Elliott sent or received those days. The phone records provided by the NFLPA show four calls between Thompson and Elliott on Saturday, July 16. She called him at 4:12 and 8:31 a.m. and he called her at 11:23 and 11:51 a.m. According to these redacted phone records, there were no calls between them again until Monday, July 18 at 4:03 p.m. when she called him.

⁴¹ See Exhibit 37.

⁴² See Exhibit 38, Text messages exchanged between Tiffany Thompson and Ezekiel Elliott 7/15/16-7/16/16.

⁴³ See Exhibit 38.

⁴⁴ They subsequently provided a further redacted copy on May 24, 2017 explaining that they had inadvertently left two unrelated phone calls in the records earlier provided. See Exhibit 103.

Sunday, July 17 Approximately 5 a.m. Alleged Facetiming Incident

July 16, at 2:00 p.m., both sides agree that Ms. Thompson picked Mr. Elliott and his friend Alvarez Jackson up at the airport in Columbus and went back to the apartment on Canvasback Lane and that later that night, the three of them went out to a place in Columbus called Park Street. Thereafter, they went back to the Canvasback apartment at about 2:30 a.m. and Mr. Jackson left about 3:30 a.m. to visit a friend. What happened thereafter is in dispute. Both Ms. Thompson and Mr. Elliott agree that late that night (really, in the very early morning hours), a woman from Dallas started Facetiming Mr. Elliott.⁴⁵ Ms. Thompson told investigators that this occurred at 4 or 5 a.m. as she and Mr. Elliott were lying in bed together. She said she asked Mr. Elliott why this woman was calling him at that hour and that he responded, "Why does it matter? I'm laying here in bed with you." Ms. Thompson said that Mr. Elliott then wanted to have sex with her and she said, no, and that he then tried to have anal sex with her and she said, no. She said that Mr. Elliott then got mad and went to sleep on the couch and she said to him, "No. I want to lay in bed with you." She said he then got up and dragged her out of the bed, telling her to go sleep on the couch. She said he "like yanks me out of the bed and pushes me up against the door by holding me with both of his hands. He chokes me and says, "What did I tell you?" She said he then went to hit her and she blocked it with her arm at which point Mr. Elliott went back to bed. Ms. Thompson said that Mr. Elliott was very, very drunk that night and that he fell right asleep. Ms. Thompson told investigators that she was not drunk that night, however, the text messages recovered from her phone show her texting her friend McKaila Blades from the bar at 1:45 a.m. saying she was "Drunk as duck," "Duck," "Duck", "Fuck" and the next day, at 12:20 p.m., "I was fucked up" and "I was drinking so crazy and took Molly."⁴⁶

When Mr. Elliott was interviewed by the League's investigators, he told them that he recalled a girl calling him and Ms. Thompson saying something to him about it because it was late at night. Mr. Elliott said they did not have an argument about this, explaining that Ms. Thompson knew that she was not the only girl he was involved with. While their text messages over the last few months make clear that Ms. Thompson was aware that Mr. Elliott had sex with many other women, they also reflect that she was not okay with this and in fact, that she was extremely jealous such that they argued about this constantly. Mr. Elliott went on to tell the investigators that that he and Ms. Thompson had actually brought home another girl to have a threesome with

⁴⁵ Per the League's digital forensic expert David McCain, Facetime calls do not show up on people's billing records and indeed there is no record of this call on Mr. Elliott's AT&T cell phone records provided by the NFLPA. Mr. McCain says that records of such calls show in the call logs on people's Apple cell phones. At the time Ms. Thompson's cell phone was imaged by Mr. McCain, its call log did not go back this far. Despite repeated requests, Mr. Elliott never provided the League with the call logs from his two cell phones.

⁴⁶ See Exhibit 95.

that night earlier but did not end up doing so.⁴⁷ Mr. Elliott denied that he and Ms. Thompson engaged in any physical fight that night.

Other evidence regarding this incident comes in the form of a series of text messages that Ms. Thompson sent her Aunt Elaine a day later after she says Mr. Elliott assaulted her again. At that time, July 18th at 5:20 p.m., Ms. Thompson texted her Aunt Elaine one word, "Absuive". Her Aunt Elaine then asked her, "Is he home?" Ms. Thompson answered, "Yes," "I have bruises all over me," "Some parts are even swollen." Her aunt then responded, "Send me pictures!!! When did this happen?" Ms. Thompson replied, "Last night and Saturday night." Her aunt responded, "So he just hits you?! Why?" to which Ms. Thompson replied, "Saturday I asked why a girl facetimed him at 5am and last night because he got home before me and was locked out." Ms. Glenn then responded, "That's just insane!!! You have to leave him alone tiff."⁴⁸

In addition to these text messages with her aunt, Ms. Thompson sent her aunt seven photographs that the meta data on reflects were taken that day, July 18, 2016 between 3:33 – 4:13 p.m. at the Canvasback Lane apartment complex.⁴⁹ (Two of these were the same picture.) These photographs show bruises on Ms. Thompson's arms, neck and shoulders.⁵⁰

In her witness statement to the Columbus Police Department filled out on July 22, 2016, with regard to this particular incident, Ms. Thompson stated, "Saturday night the abusing started. We had went out and once we got home I questioned him. He picked me up by my neck and threw me around. My right forearm is bruised from him hitting it due to me trying to cover my face."⁵¹ The responding officer's typed report states that Ms. Thompson told him that on Saturday night, she and Mr. Elliott got into a fight about their unhealthy relationship; that Mr. Elliott cheats on her all the time and that when they had broken up for a bit, she slept with another guy; that the argument turned physical and Mr. Elliott attempted to hit her in the face and that she raised her right arm to cover her face. The report said she has a bruise on her right arm.⁵²

In her July 22 recorded interview with the Columbus City Attorney's Office with regard to this incident Ms. Thompson stated that a girl was calling Mr. Elliott's phone repeatedly around 3 -5:00 in the morning and she asked him why a girl was calling his phone at that hour of the morning. She said he told her not to worry

⁴⁷ Ms. Thompson acknowledged during her interview with the League's investigators that she and Mr. Elliott had brought home another woman with them on the night of Saturday, July 16, 2016, for the purpose of engaging in a threesome. She said she knew the woman from "the friend group" and that they didn't end up having the threesome because this other woman didn't feel comfortable.

⁴⁸ See Exhibit 39, Text message exchange between Tiffany Thompson and Elaine Glenn 7/18/16 beginning at 5:20 p.m.

⁴⁹ Both the League's digital forensic expert, David McCain, and the independently retained digital forensic expert Joseph Church obtained this meta data from these photos.

⁵⁰ See Exhibits # 3A-F

⁵¹ See Exhibit 40, Tiffany Thompson's written statement to the Columbus Police Department dated 7/22/16.

⁵² See Exhibit 12.

about his phone, to worry about herself and that he then started cursing at her, calling her a bitch. She said he got out of bed, came over to her side and dragged her out of the bed and then threw her up against the door of his bedroom. She said he then pressed his right hand around her neck and started choking her for about 20-30 seconds. She said he then let go, clenched his fist and went to hit her in the face. She said she brought her right forearm up to cover her face and she had a bruise there. She said she started crying and he said he was sorry, that he hadn't meant to put his hands on her. In response to specific questions, she told the City Attorney's Office interviewer that Mr. Elliott had only tried to punch her in the face once and that he did so with a closed fist. She was asked if the choking left a mark and she pointed out a bruise on her throat.⁵³

Ms. Thompson told the City Attorney's Office and the League's investigators that after the July 17 assault at 5 a.m., Mr. Elliott went to bed and fell asleep and she then did the same.⁵⁴

In his affidavit dated August 12, 2016, Alvarez Jackson stated that he returned to the Canvasback Lane apartment around 11 a.m. on July 17 and the three of them stayed at the apartment all day. He said that Mr. Elliott and Ms. Thompson both appeared to be in a good mood and that they were playing with Mr. Elliott's dogs. His affidavit does not say whether he saw or did not see any bruises on Ms. Thompson at this time but it does say with regard to the next day, July 18, that he did not see "any evidence of bruises, scrapes, cuts or injury."⁵⁵

Further evidence regarding this July 17 assault comes from text messages Ms. Thompson exchanged with her friend Shelia Lee whom she calls "Lee Lee." On July 23, after Ms. Lee has been trying to get Ms. Thompson to respond to numerous text messages she had sent her since learning about the DV allegations made to the police on July 22, Ms. Thompson finally responded at 1:33 in the afternoon and said, "I'm not lying man. He fucked me up man." She told Ms. Lee, "Bruises from Saturday just went away" and asked her, "If I was lying, why would I have bruises from different nights and some of them are slowly going Swagg." "Away".⁵⁶ During their text messages that day, Ms. Lee had repeatedly questioned Ms. Thompson about the truthfulness of her accusations against Mr. Elliott.⁵⁷

⁵³ See Exhibit 41, Transcript of Tiffany Thompson's interview with the Columbus City Attorney's Office Intake Officer 7/22/16.

⁵⁴ See Exhibit 41.

⁵⁵ See Exhibit 42, Affidavit of Alvarez Jackson dated 8/12/16.

⁵⁶ See Exhibit 43, relevant portion of their text messages exchanged between Tiffany Thompson and Shelia ("Lee Lee") Lee 7/23/16.

⁵⁷ See Exhibit 96, all the text messages exchanged between Tiffany Thompson and Shelia Lee between 7/20/16-8/2/16.

Monday, July 18 Approximately 3 a.m. Alleged Incident Over Mr. Elliott Being Locked Out of His Apartment

Ms. Thompson told the League's investigators that later on Sunday July 17, she left the apartment and went to a restaurant called BBR where she met up with her former boss from when she was a bottle serve waitress. She said that Mr. Elliott was calling her repeatedly while she was there but she did not answer her phone. She said she then went back to the Canvasback Lane apartment and when she arrived in the parking lot, Mr. Elliott was in the parking lot and he was yelling at her because she had the key to the apartment and he had not been able to get in. Alvarez Jackson stated in his affidavit that the time was about 3:00 a.m., so this was now very early Monday morning July 18.

Ms. Thompson's statement that Mr. Elliott called her repeatedly while she was out that night could not be independently verified through the records recovered from her cell phone as, at the time her phone was imaged, the call log in it only went back to July 22, 2016⁵⁸. However, Mr. Elliott's redacted phone records provided by the PA in May 2017 do seem to bear this out. They reflect twenty phone calls on his 614# between him and Ms. Thompson beginning at 2:43 a.m. and continuing until 3:19 a.m. The records indicate a whole number next to the call that relates to the length of the call, but is not the exact length in minutes of the call. Rather, it is a number that AT&T uses for its billing purposes. The number "1" reflects that the call connected, but did not last over 1 minute. The number "2" indicates that the call went on for at least 2 minutes but not over 3, etc. The 2:43 a.m. call, from her to him, indicates a "1," thus indicating that the call at least connected but did not go on for over one minute. The records then show twelve calls from him to her between 2:45 – 3:02 a.m. (all "1"), an incoming call from her at 3:03 ("2"), and an outgoing one to her at 3:04 ("3"), incoming from her at 3:07 ("1"), outgoing to her at 3:08 ("4"), incoming from her at 3:13 ("2"), another incoming from her at 3:15 ("1") and one last outgoing him to her at 3:19 ("3"). The records are then redacted until a 5:23 a.m. incoming call from her to him ("1").⁵⁹

Ms. Thompson said that Mr. Jackson was standing right there and that Mr. Elliott opened the passenger side door of the car she was in and reached over and grabbed her by the arm and pushed her back against the seat and grabbed the keys out of her hand. She said they then all went into the apartment., that Mr. Elliott was screaming and yelling and that Mr. Jackson was sitting right there on the sofa. Ms. Thompson was asked if this argument in the apartment became physical and she said that it did not. Ms. Thompson said her arm was red as a result of him having grabbed her arm in the car. She said she told her friend Shelia and her Aunt Elaine

⁵⁸ It should also be noted that the League's Forensic expert David McCain says that the call log on Ms. Thompson's phone not going back before July 22 is not a function of the storage space on that phone but appears to be because the call log prior to that date was deleted. Mr. McCain says he could not determine forensically when the log was so deleted.

⁵⁹ See Exhibit 103.

about this happening. Shelia Lee never responded to the League's efforts to interview her. Ms. Thompson's statements to her aunt are discussed below.

Mr. Elliott did not make any statements about what happened between him and Ms. Thompson in the early morning hours of Monday July 18 to the League's investigators, other than to generally deny that he had assaulted Ms. Thompson at any time during the week of July 16-22, 2016. However, his friend Alvarez Jackson did. In his affidavit dated August 12, 2016, prepared by Mr. Elliott's counsel and submitted to the City Attorney's Office, Mr. Jackson stated that he and Mr. Elliott returned to the apartment at approximately 3 a.m. the morning of the 18th and that Ms. Thompson arrived soon after. Mr. Jackson's affidavit goes on to say, "Ms. Thompson and Mr. Elliott slept in the bedroom and I slept on the couch outside the bedroom and did not hear any type of fighting, yelling or abuse taking place that night."⁶⁰ Given the wording of the affidavit, it is unclear whether Mr. Jackson meant he did not hear any fighting, yelling or abuse take place at the time they all went to sleep in the areas he described or whether he means at any time that night, from the time they were all in the parking lot together through everyone falling asleep. Ms. Thompson, as related above, said that the yelling began in the parking lot; Mr. Jackson's affidavit does not address what happened when Ms. Thompson arrived in the parking lot. Ms. Thompson said the argument continued verbally as soon as they got into the apartment. Mr. Jackson's affidavit also did not address what happened when they first walked into the apartment; rather, it skipped right to where everyone slept. The League's investigators were unable to ask Mr. Jackson any questions to fill in his incomplete rendition of the night's (really, early morning hours') events because Mr. Jackson declined the League's many requests to speak to him.

As stated above, Ms. Thompson said that she told her Aunt Elaine Glenn about what happened in the early morning hours of July 18. Her aunt told the League's investigators that when she woke up on the morning of July 18, she saw she had a 3:30 a.m. missed call from Ms. Thompson. This call would have been 11 minutes after the last of the 20 calls between Mr. Elliott and Ms. Thompson that took place between 2:43 – 3:19 that morning. Ms. Glenn said she did not have time to return this call until later that day at which point Ms. Thompson told her that she could not talk because Mr. Elliott was around. Ms. Glenn told investigators that she told Ms. Thompson to text her. Records recovered from the cell phones imaged show that this call took place at 4:52 p.m. on July 18.⁶¹ There is no record of the missed call at 3:30 a.m. on Ms. Glenn's cell phone.⁶²

Mr. Elliott's phone records, as provided by the NFLPA, show 7 calls between Mr. Elliott and Ms. Thompson around the time she was texting and sending her aunt photos. All 7 calls show as "1" on the billing

⁶⁰ See Exhibit 42.

⁶¹ See Exhibit 44, Call log record from Elaine Glenn's iPhone 7/18/16.

⁶² Mr. McCain checked the call log on Ms. Glenn's phone and did not find any record of this missed call, however, he did find a record of the completed 4:52 p.m. call. See Exhibit 44. And, as stated earlier, Ms. Thompson's call log from her cell phone at the time it was imaged did not go back this far.

records. At 4:03 and 4:06 p.m., Ms. Thompson called Mr. Elliott. The next three calls were from Mr. Elliott to Ms. Thompson. Two of these calls were at 4:56 and one was at 4:59 p.m.⁶³ Text records recovered from Ms. Thompson's phone also show Mr. Elliott texted her at 4:54 to come get her dog that was outside as he was getting into an Uber.⁶⁴ Mr. Elliott's phone records also reflect an incoming call from her at 5:02 p.m. that lasted "1" and finally a call from him to her at 5:25 p.m. that also lasted "1."⁶⁵

As was related earlier in this report, at 5:20 p.m. on July 18, Ms. Thompson texted her Aunt Elaine one word, "Absuive". Aunt Elaine then asked her, "Is he home?" Ms. Thompson answered, "Yes," "I have bruises all over me," "Some parts are even swollen." Her aunt then responded, "Send me pictures!!! When did this bappen?!" Ms. Thompson replied, "Last night and Saturday night." Her aunt responded, "So he just hits you?! Why?" to which Ms. Thompson replied, "Saturday I asked why a girl facetimed him at 5am and last night because he got home before me and was locked out." Ms. Glenn then responded, "That's just insane!!! You have to leave him a lone tiff."⁶⁶

Ms. Thompson then sent seven photographs to her aunt, one of which was a duplicate, that the meta data recovered from reflects were taken that day, July 18, 2016 between 3:33 – 4:13 p.m. at the Canvasback apartment complex. Mr. Elliott's phone records provided by the NFLPA reflect that he got two incoming calls from Ms. Thompson during the period of time she was taking these photos, one at 4:03 and one at 4:06 p.m. Both show as "1" on the bills.

The photographs Ms. Thompson sent her aunt the afternoon of July 18, 2016, excluding the duplicate, are Exhibits 3A-F and they show bruises on Ms. Thompson's arms, neck and shoulders.⁶⁷ Dr. Thanning examined these photographs and stated that 3A shows the upper underside of the left arm and three bruises appear visible. Starting at the top of the photo on the inner aspect of the elbow, there appears to be a faint healing bruise that Dr. Thanning said from its appearance in the photo could be as old as a week and a half to 10 days old. She said she based this on its yellowish color and on the fact it appeared to be disappearing. The next bruise moving down in the photo is on the outside aspect of the underarm just below the elbow. Dr. Thanning stated that she estimates this bruise to be approximately a week old based on its purplish color in the center and the irregular outline that evidences that it is starting to heal. She said that this injury would be consistent with someone having swung that arm back and hitting a hard object or holding the arm up to block something. The bottom bruise visible in the photo Dr. Thanning described as "linear" in appearance and was reminiscent of a "patterned bruise" like it was from that part of the arm making contact with a linear object.

⁶³ See Exhibit 103.

⁶⁴ See Exhibit 45.

⁶⁵ See Exhibit 103.

⁶⁶ See Exhibit 39.

⁶⁷ See Exhibits 3A-F.

Dr. Giordano described the location of the upper inner arm as a "protected area" because the inside of the upper arm is an area not commonly injured in a fall or incidental contact with an object.

With regard to photo 3A, Dr. Giordano concurred with Dr. Thanning that the bruise next to the elbow at the top of the innermost portion photo appeared to be older. She disagreed about the age of the bruises in the middle and bottom of the photo. She stated that these two bruises appear to her to be of the same age and their purplish color lead her to believe that they are less than a week old. In addition to the linear bruise at the bottom of the photo, Dr. Giordano also pointed out a parallel linear indentation just above this bottom bruise as well as such a linear indentation extending off of the bottom bruise. She said these linear marks would be consistent with the back of the arm having made contact with a surface that had two linear parallel aspects. She stated that the fact that these indentations were visible indicated they were probably of recent origin, about a day old.

With regard to photo 3B, both doctors said that it was very hard from the photo to discern what part of the body had been photographed. Dr. Thanning thought it might be the posterior right shoulder. Both Dr. Thanning and Dr. Giordano stated that the brownish area just above and to the right of the small red mark farthest to the right of the three small red marks appeared to be a healing bruise; however, Dr. Giordano said it was also possibly a shadow in the photo. Dr. Thanning estimated it was perhaps 1-2 weeks old. Both doctors said that the three small red marks could be insect bites. Dr. Giordano stated that she drew this conclusion from the size, arrangement and appearance of these marks but also stated that they could be other explanations for the lesions, and that it is difficult to tell from this two-dimensional photograph.

With regard to photo 3C, a photo of the upper right arm and shoulder, both doctors noted the appearance of four injuries: 1) an older healing bruise on the top of the shoulder, 2) two fresh parallel apparent scratch marks just below that healing bruise, 3) another apparent small injury on the clavicle and 4) a bruise on the upper arm at the bottom left of the photo. Both doctors agreed that bruise 1) was older in age and that the scratches 2) were very recent, perhaps just hours old, that the mark on the clavicle 3) was a healing abrasion, not a bruise, consistent with a fingernail having dug into the skin. They also stated that 4) the bruise at the bottom of the photo was of recent origin and they based this opinion in part in its appearance in a later photo taken by the Columbus Police Department on July 22 at approximately 3:00 a.m., Exhibit 7F. Finally, both doctors agreed that the large dark brown area of discoloration in the middle of the photo did not appear to be an injury, but rather was an artifact.

Photo 3D is a photo of the left leg from the knee down to the upper ankle. Both doctors agree that there is one injury depicted in this photo and that the darker areas that appear in the photo are just shading from the light in the room where the photo was taken. Both doctors agree that this injury is "fresh" and that its appearance is consistent with a scratch mark. Dr. Giordano also stated that it could also be a small fresh

linear contusion, the result of having made contact with a linear hard object or surface so it was not inconsistent with having struck a wall but she said it was also consistent with many other explanations such as falling down. She said that you tend to see injuries on the bony protuberances, such as the knee, when a person falls down.

Exhibit 3E depicts the left side of Ms. Thompson's neck and two distinct injuries. The first, at the top of her neck, both doctors identified as a bite mark, one that was forceful and likely quite painful to its recipient. Dr. Thanning pointed out the upper dentition at the top of the injury as well as the lower dentition at the bottom, which she observed to have caused two breaks in the skin. She said that this bite appeared to have been made by someone with perfectly aligned teeth and wide dentition. When told that Mr. Elliott said he had given Ms. Thompson a "hickey" while in Columbus that week, Dr. Thanning remarked, "To call this a hickey is an understatement. It is a bite mark." She said if this were a "hickey," it would be the worst one she has ever seen in over thirty years of practice. Dr. Giordano agreed and both said that the injury that appears just below that, the area of multiple small round purplish marks, is more consistent with what people commonly call a "hickey." Dr. Thanning stated that to her, the top of the bite mark appears to be yellow-green which indicates to her that it is at least a week and a half to 10 days old. She stated that there would be a scab on top of the broken skin if this had just happened. Dr. Giordano thought the area of small apparent brown spots arranged in a circular pattern could be an old healing bite, one made with less force than the bite above and more in line with what people call a "hickey." She said that this mark was older than the one above it. Dr. Thanning also noted that to the right of the more recent bite mark, at the hairline, there are more teeth marks. Dr. Giordano noted that the overall color of the skin tone was browner than in the other photos, making it difficult to describe with accuracy the color of the wounds, and therefore attempting to describe them as fresh or older. She agreed with Dr. Thanning that this injury looked at least a week old. However, when compared to another photograph of the same wound, Exhibit 8C in which Ms. Thompson is wearing a white top, the same injury in 8C, according to Dr. Giordano, looks fresh due to the deep red-purple color.

Photo 3F, the last in the series of the photos taken on July 18 between 3:33 – 4:13 p.m., shows Ms. Thompson holding up the front of the bottom portion of her right arm. Both doctors observed a large older roundish bruise in the middle of this area of her arm. Dr. Thanning stated that it is almost gone and its appearance is inconsistent with having occurred in the last day or two. Dr. Thanning estimated it to be one to two weeks old. Dr. Giordano said she agrees that this appears to be an older bruise, but that the shading in the photo makes it difficult to judge with great precision. She said from its appearance in this photograph, it appears to be more than a few days old and therefore inconsistent with having been sustained the morning of July 17.

Text message evidence relevant to the alleged July 18 incident was also recovered. Text messages recovered from Ms. Thompson's phone show the following texts from Mr. Elliott to Ms. Thompson, starting

on July 18 at 4:54 p.m.⁶⁸, just minutes after Aunt Elaine called Tiffany: “Ur dog is outside following me so idk wat u want to do about that,” “About to get in this uber,” and “Might want to get in ur car and Come get him.”⁶⁹

The next text between Ms. Thompson and Mr. Elliott is from her to him at 5:28 p.m. asking him, “Why’d you call.”⁷⁰ He did not respond, at least not via text, as far as the texts recovered from the imaged telephones show. Mr. Elliott’s phone records show that he had an incoming call from Ms. Thompson on his 614# at 5:23 p.m. and that he called her on his 214# at 5:25 p.m. for “1” and he called again at 6:07 p.m. for “2”. The next call between them on his phone records is at 7:44 p.m. (“1”), him calling her on his 214#.⁷¹

At 6:46 p.m., Ms. Thompson wrote Mr. Elliott the following text:

Hey. I know you don't want to speak to me. I apologize for last night, I should've just left your door unlocked. There's not an excuse for me to have you locked out of your own house. But I honestly though I would be home before you. I'm sure you've been talking shit all day to your friends but who knows. Can't assume anything anymore. My spiteful ways left but last night showed me by you contacting your hoes here in Columbus that your ways never left. I understand if I was at a dudes house fucking around and had your keys but I literally was driving. I was in your apartment complex for literally 10 minutes. If you wouldn't have been threatening me I would've had no problem getting out of my car to give them to you. Whatever else happened last night I'm sorry once again. I wasn't playing games and I want you to know that. Not on these games anymore and I told you that as soon as we said we were going to work on things. But I do need to talk with you and tell you some things before I leave tonight. Have fun.⁷²

The above text message would seem to corroborate that they had an argument over her having his keys and leaving him locked out the night before. He responded to the above text message starting at 6:47 p.m. and continuing through 6:48 p.m., saying that he was not contacting girls, he was calling Jeffie to see if he could stay there. He then said to Tiffany, “Because you kept putting your hands on me,” “But have fun.”⁷³ As stated above, his phone records show him calling her at 7:44 p.m. for “1.”⁷⁴

⁶⁸ There is a gap in the text messages recovered from Ms. Thompson’s phone between her text to Mr. Elliott on July 16 at 3:53:37 p.m. telling him that she was at the airport – “Here” – and this text from Mr. Elliott on July 18 at 4:54:57 p.m. in which Mr. Elliott tells Ms. Thompson that her dog is outside following him. It is unlikely that Ms. Thompson neither sent nor received any texts during this time. Therefore it would appear that she deleted the messages sent and received during this time period.

⁶⁹ See Exhibit 45, Text message exchange between Ezekiel Elliott and Tiffany Thompson 7/18/16.

⁷⁰ See Exhibit 45.

⁷¹ See Exhibit 103.

⁷² See Exhibit 45.

⁷³ See Exhibit 45.

⁷⁴ See Exhibit 103.

With regard to this incident involving Mr. Elliott's keys, Ms. Thompson wrote in her July 22, 2016 statement for the Columbus Police, "Sunday night⁷⁵ he was throwing me around because I had his keys that he had left at the apartment in Watermark⁷⁶ he had went to the hookah bar and I had went to my friends got mad because I didn't stay in and wasn't home before him."⁷⁷ The police officer who responded to the July 22 911 call wrote in his report that Ms. Thompson told him that the fight the night of the key incident started because they had gone out to different places and she did not make it home before him and he choked her leaving a red mark and bruise on her neck.⁷⁸ These statements are inconsistent with what Ms. Thompson told the League's investigators, as she only told them that he had grabbed her arm while she was in the car and took the keys from her.

In her recorded statement to the Columbus City Attorney, Ms. Thompson described the July 18 "keys incident" as follows. She said that throughout that day, she wanted to take her things and leave and that Mr. Elliott would not let her. She said that night, he had plans with his friends and she had plans with hers; that he left his house keys with her because he left before her. She said when she came back later that night, he was "threatening me telling me he was going to smash my car window and smash my headlights out, key my car. And, if I didn't unlock the door." She said he had been calling her and texting her and when she got home, he "snatched" the keys from her and took his right hand and twisted her left arm and that this resulted in a bruise. She said he let her go because his friend Alvarez told him to. She said that they kept arguing inside the apartment and they eventually went to bed.⁷⁹ This version of events is consistent with what Ms. Thompson told the League's investigators, just more detailed.

Evening of Monday, July 18 – Early morning hours of Tuesday, July 19

Ms. Thompson told investigators that on Monday evening Mr. Elliott said he was going to the hookah bar with friends and she went to meet friends of hers for dinner. Alvarez Jackson said in his affidavit that he and Mr. Elliott went to BBR and then 4th Street.⁸⁰ Ms. Thompson said that later that night, she and her friends were out walking around downtown Columbus and she heard Mr. Elliott calling her name. She said she ignored him. When asked why, she told the League's investigators that because of everything that had happened prior to that, she "just kind of wanted to have my space and give him his space." She said that he responded via text, "Okay, that's cool. You're just going to ignore me?" She said he then texted her, saying, "All your stuff will be

⁷⁵ Ms. Thompson consistently describes events that occurred in the early morning hours after midnight as having occurred the "night" before. She did this to the police, to the City Attorney and to the League's investigators.

⁷⁶ The Canvasback Lane apartment is in the Watermark apartment complex.

⁷⁷ See Exhibit 40.

⁷⁸ See Exhibit 12.

⁷⁹ See Exhibit 41.

⁸⁰ See Exhibit 42.

outside of my apartment when you get home.” Ms. Thompson said she spent the night at the Canvasback Lane apartment and that Mr. Elliott did not come home that night.

The text messages recovered from Ms. Thompson’s phone show that at 6:55 p.m., the early evening of Monday July 18, Mr. Elliott texted Ms. Thompson and asked her if she was still at his house. (Prior to this, Mr. Elliott’s phone records show that Ms. Thompson called him at 5:23 p.m. for “1.”)⁸¹ She responded that she was and he told her she needed to leave. She responded, “I’m not leaving so you can fuck another girl”. He said, “You will leave eventually.” They had some more back and forth via text and then at 7:01 p.m., she texted him, “But you’re the only person I can tell anything to. Only person I feel comfortable telling anything to” and he replied, “Well u should treat me that way” “And make me want to be with you.” She did not respond until half an hour later, at 7:35 p.m., and said, “I agree with you.” Mr. Elliott’s phone records show that he called her at 7:44 and 7:50 p.m., each time for “1” and that she called him at 8:07 p.m. for “2” and at 8:09 p.m. for “4.”⁸²

At 8:34 p.m., Ms. Thompson texted Mr. Elliott, “Where are you?” “Come drink with me.” He replied, “I’ll come take a shot with you.” “Give me 30 minutes.” She told him she was at BBR with Van and Mr. Elliott responded, “Man.” There is no further texting between them until 10:29 p.m. when he texted her, “Don’t play with me.” “Ur shit will really be sitting outside my house.”⁸³ This latter text message matches what Ms. Thompson said her exchange was with him after she ignored him on the street. A phone call from her to him at 9:20 p.m. for “1” shows on his phone records provided by the NFLPA.⁸⁴

No text messages between them were recovered after this “Ur shit will really be sitting outside my house” text until a day and a half later, July 20, 2016 beginning at 11:18 a.m. As stated earlier, this could be because they were not texting each other during this time period of time or because text messages were deleted prior to the League’s imaging of Ms. Thompson’s phone. In addition, Ms. Thompson’s use of a new phone number during that short period of time would result in any SMS texts sent or received on the new number to have not been saved in the phone’s database. Had Mr. Elliott provided the record of their texts from his phones, we would be able to determine which happened and had there been texts exchanged, we would know their content.

Mr. Elliott’s phone records show four incoming calls from Ms. Thompson on the night of July 18 after his 10:29 p.m. text message saying he was going to put all her “shit” outside his house. These calls, on his 214#, occurred at 11:20, 11:23, 11:47 and 11:49 p.m. and lasted for “3,” “1,” “2” and “2,” respectively. The records then show that Mr. Elliott called Ms. Thompson on his 214# at 12:01 a.m. on July 19 for “3” and then

⁸¹ See Exhibit 103.

⁸² See Exhibit 103.

⁸³ See Exhibit 45.

⁸⁴ See Exhibit 103.

there are eight incoming calls from her to him on that number at 12:05, 12:06, 12:11, 12:13, 12:18, 12:22, 12:23, and 12:25 a.m. that lasted for “1,” “1,” “2,” “3,” “3,” “2,” “1,” and “1,” respectively. At 12:58 a.m., the records reflect that Mr. Elliott called Ms. Thompson on his other phone (614#) for “1” and that she called him on this number at 1:36 a.m. for “1.”⁸⁵ This is the night he did not come home. The records show no more calls between them for the rest of that day. A large redacted area appears on his phone records during this period of time.⁸⁶ The next call that shows on Mr. Elliott’s phone records is on Wednesday, the 20th at 6:10 p.m., him calling her.⁸⁷

When Mr. Elliott was interviewed by the League’s investigators, he was told that Ms. Thompson had told the investigators that she and Mr. Elliott had each gone out with their own friends that night and that they had bumped into each other in downtown Columbus and that Ms. Thompson had ignored him, causing him to become upset. Mr. Elliott stated, “I mean, we did bump into each other but at that point, no, she was not ignoring me. That’s the opposite of what she was doing.” Mr. Elliott was then confronted with the text message he had sent Ms. Thompson that night that read, “Don’t play with me, your shit will really be sitting outside my house” and he was told that Ms. Thompson had told the investigators that he had sent this after she had ignored him. Mr. Elliott then stated, “She called me because I was at dinner right around the corner. She told me to come and meet her. So, I went to meet her at the bar and she was ignoring me for like a couple of seconds, but after that, I mean, we weren’t ignoring each other anymore.” Mr. Elliott went on to explain what he called the “prequel” to this incident. He said:

I had been trying to end things with Tiffany. Tiffany did not want this. This was like a whole week long process. And like, and so, I was telling her, she had dropped me off, she picked me up from the airport, and then she really wasn’t even supposed to stay with me Saturday night. And, then I was trying to get her to leave my house, she would not leave my house. And, I mean, that whole day, what she didn’t tell you, was that I was telling her to please take your stuff and leave from my house cause then she would have to come back to my house that night and that’s not what I wanted. Actually, that night (Monday), I didn’t even go home because Tiffany was blowing me up. I didn’t want to be there; I didn’t want her at my house. And she was blowing me up, I mean, I have a text log of that, I mean, Frank has that. You can probably pull that up from that night where she’s blowing me up, like, why are you not coming home. I actually stayed at a hotel that night.”⁸⁸

In his affidavit, Alvarez Jackson said he got back to Mr. Elliott’s apartment at 3:15 a.m. and that Ms. Thompson was in the parking lot when he arrived. He and Ms. Thompson have different versions of what

⁸⁵ See Exhibit 103.

⁸⁶ See Exhibit 103.

⁸⁷ All earlier calls on July 20 on Mr. Elliott’s 214# were redacted by the NFLPA and all calls for the entire day of July 20 on his 614# were redacted by the NFLPA.

⁸⁸ A request was made of Mr. Elliott’s lawyers for the “text log” Mr. Elliott referred to in his interview with the League’s investigators. To date, the NFLPA has not responded to this request.

happened in the lot but both agree that they ended up in Mr. Elliott's apartment where they both went to sleep.⁸⁹

Other information regarding the early morning hours of Tuesday July 19 comes from a man named Matthew White, who was an acquaintance of Ms. Thompson's having worked with her for a short period of time at a bar called Dahlia in Columbus. Mr. White is a 22 year old senior at Ohio State University. He plays rugby there and stated that he had met Mr. Elliott a few times. He told the League's investigators that he overheard one of Mr. Elliott's lawyers talking at a restaurant and he offered the information that ended up contained in the affidavit filed by Mr. Elliott's attorney with the Columbus City Attorney's Office.⁹⁰ In the affidavit, Mr. White states that he saw Ms. Thompson sometime between 1:00 – 3:00 a.m. on the morning of Tuesday July 19th at a pool party; that she was wearing "the equivalent of a bikini"; that he was "in the immediate vicinity of Ms. Thompson for the bulk of 2 hours while she was there" and "[f]or much of that time, [he] was engaged in conversation with her and her friend and was seated or standing no more than a few feet from her"; and he "did not observe and [sic] bruises, scrapes, cuts or other marks anywhere on her body, hands, neck, face, hands or anywhere."⁹¹ Mr. White repeated these statements to the League's investigators when they later interviewed him. Ms. Thompson told the League's investigators that she was at this pool party but not in anything resembling a bikini; that she was wearing leggings and a tank top. She said she was there with her friend Kelsey Ciminello who she showed her bruises to and to whom she told what Mr. Elliott had done to her. She said she did see Mr. White at the party, that he threw her in the pool. The League's investigators attempted to interview Ms. Ciminello but were unable to do so.

Mr. White's statements about the lack of any injury on Ms. Thompson's body in the early morning hours of July 19 are belied by the photographs taken the afternoon before and sent to Aunt Elaine, photographs that clearly depict bruising on Ms. Thompson's body.⁹² Thus, Mr. White is either mistaken or he is not telling the truth. That Mr. White harbored some animus regarding Ms. Thompson is evidenced by his statements to the League's investigators about Ms. Thompson. After telling them that he and Ms. Thompson had only worked together for a few weeks, when asked to describe her, he stated, "Shady, lying, didn't come to work on time. Really stuck up, pretty. I don't really like her." When asked for the basis of his statement that Ms. Thompson was always lying, Mr. White stated, "She doesn't do what needs to be done at work, and it seems like she's always in conflict with someone at work."

⁸⁹ See Exhibit 42.

⁹⁰ See Exhibit 46, Affidavit of Matthew White dated 8/11/16.

⁹¹ See Exhibit 46.

⁹² See Exhibit 3A-F.

Morning of Tuesday, July 19 Alleged Incident After Mr. Elliott Got Home Having Been Out All Night

Everyone – Ms. Thompson, Mr. Elliott and Alvarez - agrees that Mr. Elliott did not come back to his apartment on the night of July 18 into July 19; that he returned home at some point in the morning. Alvarez Jackson placed the time Mr. Elliott arrived back at his apartment at approximately 8 or 9 a.m.⁹³ Mr. Jackson stated in his affidavit that Ms. Thompson was awake when Mr. Elliott got home, that they spoke to each other for a few minutes in the living room and then went into the bedroom and went to sleep until 1:00 p.m. Mr. Jackson's affidavit does not state that he heard no fighting at the time Mr. Elliott returned to his apartment on the morning of July 19, as it does a few sentences later when referring to later that night July 20, at 3 or 4 a.m. when Mr. Jackson returned to the apartment after being out with friends.⁹⁴ This would seem to be a significant omission, especially in the face of what Ms. Thompson says happened when Mr. Elliott arrived home on the 19th, one the League's investigators could not question Ms. Jackson about because he declined to be interviewed by them.

Ms. Thompson told the League's investigators that when Mr. Elliott got home on the morning of July 19, he woke her up and told her she needed to leave his apartment. He then went to take a shower. This, Ms. Thompson told investigators, indicated to her that he had been with another woman the night before. She said she came to learn that he had stayed in a hotel with another woman that night. She said after he showered, he came back into the bedroom and they started arguing. She said she began to cry and started gathering up her belongings at which point Mr. Elliott pushed her back on the bed and told her that she had had her chance to leave and now she was going to stay. She said he took her phone from her so she couldn't call or text anyone.⁹⁵ She said she went out in the living room to try and get her phone back and Mr. Elliott grabbed her arm and pushed her away with a stiff arm. She said Mr. Jackson was right there and saw what was happening. She said Mr. Elliott told her to go back into the bedroom and she did so and Mr. Elliott came in as well and their arguing continued and he closed the bedroom. She said she tried to get up off the bed but he kept pushing her down, hitting her, yanking her, slapping her in the face, pulling her hair and all the while telling her that he had given her her chance to leave. At one point she told investigators she said to him, "What am I your puppy dog?" and that Mr. Elliott replied, "Yes." She said this altercation ended when he started to cry, hugged her close to him and said this is "tough love." She said he was then sorry and wanted another chance to change. She said she told him that she had given him so many chances. She said she ended up lying next to him in bed and he asked her to stay the day in bed with him and she did.

⁹³ See Exhibit 42.

⁹⁴ See Exhibit 42.

⁹⁵ The forensic analyses of Ms. Thompson's phone did not reveal any text messages from the morning of July 19; indeed, the analyses did not reveal any text messages sent or received at any time that day. And, as has been stated before, the call log on her phone only went back to July 22 by the time it was imaged.

When asked by the League's investigators what injuries she suffered as a result of this Tuesday morning, July 19 incident, Ms. Thompson said she had bruises, thumb prints on the back of her arms and on her elbows. She said she took photographs of these injuries and spoke to her Aunt Elaine about what had happened. There were no photographs recovered from either Ms. Thompson's or her Aunt Elaine's phones that were taken that day. The closest in time photographs recovered were taken on the afternoon of July 21.⁹⁶ Two were taken at 2:18 p.m. in the parking lot of the Carriage House,⁹⁷ where Mr. Elliott had by that day moved; the third photograph was taken at 2:36 p.m. on a highway that runs between the Carriage House and Ms. Thompson's apartment in Dublin.⁹⁸

Exhibit 6A, the 2:18:42 p.m. photo shows a left forearm with a large purple bruise halfway up the forearm and another large purple bruise at the wrist on the pinky side of the hand. This aspect of the left arm was not the subject of any of the 7/18 photos, Exhibits 3A-F. Dr. Thanning described the bruise at the wrist as having a circular shape, purplish in color with a pale center. The bruise that appears in the middle of the forearm she described as having a "double contour linear pattern" consistent with blunt force trauma. She said that this wrist bruise appeared to her to be more purple than the bruise on the forearm and that usually means that it is older but she said that this color could be due to increased blood flow at the wrist, so she would not rule out that these two bruises had occurred during the same incident. Dr. Thanning believes this injury was caused by the arm hitting a hard blunt object and stated that its "double contour linear pattern" has led her to this conclusion. She stated that the appearance of this injury is most consistent with it having been sustained during the alleged incident on July 19. Dr. Giordano stated that this photo 6A shows two obvious contusions that appear from their color to be recent. She said that due to their location, they could be consistent with defensive injuries. With regard to the contusion that appears at mid-forearm, Dr. Giordano stated that this large bruise might actually be two bruises and the result of two fingers pressing down in that area consistent with the arm having been grabbed by a hand.

Exhibit 6B, the 2:18:56 p.m. photograph, shows a right forearm with what both doctors said appears to be a larger fainter bruise closer to the elbow and two purple bruises at the wrist on the pinky side of the hand. The doctors noted that the knuckle of the pinky in photo 6B is also bruised and there appears to be a small wound in the middle of that bruise and that both these bruises from their color look to have been incurred during the same incident. They also said they observed two small marks on the knuckles of the middle and ring fingers. This hand was later photographed by the Columbus Police Department approximately 13 hours later and from those photographs, Exhibits 7A-G, both doctors said you could tell that these small marks on the knuckles are either small bruises or abrasions caused by the hand hitting a hard object. These marks in

⁹⁶ Exhibits 6A-6C.

⁹⁷ Exhibits 6A & 6B.

⁹⁸ Exhibit 6C

conjunction with the bruises on the wrist and pinky knuckle are consistent with the whole hand striking a hard surface, they stated, and Dr. Thanning opined that they were most consistent with having occurred during either the alleged incident on the morning of July 18 or July 19. They noted that the larger fainter bruise that appears lower on the forearm appears to be the same bruise seen in Exhibit 3F, the photo taken at 4:13 p.m. on July 18, and has now resolved more with time. Its appearance now to Dr. Thanning suggests it is a few weeks old. Dr. Giordano said she would say it appeared older than a week old. She pointed out that the appearance of the different bruises in this photograph really demonstrates the difference in appearance of old and new bruises, i.e. the one low on the forearm versus those about the wrist and hand. She said that the two recent bruises at the 5th knuckle and the two below it on the sides of the hand and wrist are consistent with the hand having hit a blunt object as could occur from it striking a wall or falling on the hand onto a hard surface. She said these injuries, especially when considered with the three small abrasions are unlikely to have occurred by punching someone unless the fist went into the mouth and somehow the teeth caused the small wounds. The wounds on the hands including the abrasions on the knuckles could be consistent with punching a surface. She said that this explanation (punching someone or something) would also not account for the bruise on the wrist so she feels that the most likely unifying explanation is that the whole hand and wrist hit a hard surface. On the other hand, if the hand and wrist injuries were the results of two different mechanisms of injury, the bruise on the wrist might have been a grab mark and the injuries on the hand from a different mechanism such as hitting a hard object. Finally, she said that these injuries were recent in her opinion, sustained within a couple of days.

Exhibit 6C, the 2:36:26 p.m. photograph taken on July 21, shows Ms. Thompson's right eye. Both doctors noted red swelling over the right eye, with swelling and bruising of the eyelid, as well as redness and swelling under the eye on the lower orbital bone. Dr. Thanning stated that Ms. Thompson's eye appeared "strikingly swollen." Exhibit 3F taken on July 18 shows Ms. Thompson's face but the lighting around her right eye in this photo is such that you cannot tell if she has any discoloration around that eye. However, both doctors agreed that the injury depicted in Exhibit 6C was quite recent given its color and the swelling and both said it would most likely have been sustained in the last 24 hours. They said that this injury was consistent with Ms. Thompson having been slapped or punched in the face.

Elaine Glenn told investigators that the next time after July 18 that she observed Ms. Thompson to have any injuries was on Wednesday. Ms. Thompson reported no physical altercation with Mr. Elliott between the Tuesday July 19 morning incident described above and the Thursday July 21 at approximately 4 a.m. incident, so any injuries Ms. Glenn observed on the morning of Wednesday July 20 that she had not seen back on July 18, could have come from the July 19 altercation in Mr. Elliott's bedroom. Ms. Glenn told the League's

investigators that on Wednesday, July 20, she checked in on her niece; that they Facetimed.⁹⁹ She said that Ms. Thompson was home alone at her own apartment at the time they spoke. (Ms. Thompson had also told investigators that she went home that afternoon to her own apartment.) Ms. Glenn said Ms. Thompson used her phone to show Ms. Glenn injuries on her, Ms. Thompson's, body. Ms. Glenn said that she saw bruises on Ms. Thompson's legs, bruising on both sides of her neck where on Monday (July 18), Ms. Glenn said she had only seen bruising on one side of Tiffany's neck, and bruising up and down Tiffany's arm. Ms. Glenn said she was not sure if she saw bruising on both arms or just the right one. When asked to describe the bruising she had seen on her niece's neck in more detail, Ms. Glenn stated that she had seen light bruising on one side of her neck on Monday and the "next time"¹⁰⁰ she saw Ms. Thompson's neck, she observed darker bruising on both sides of her neck that appeared to go around her neck. She said that the whole front of Ms. Thompson's neck appeared bruised.

In her written statement to the Columbus Police on July 22, Ms. Thompson described the alleged July 19 assault as follows: She said that Monday night, she stayed at Mr. Elliott's apartment with his friend Alvarez Jackson; that Mr. Elliott came home Tuesday morning and started choking her and smacking her face, telling her she couldn't leave, that she was his puppy dog and she needed "to sit down before he beats my ass even more." She wrote that he started crying and apologized "that he touches me" and said that it was "tough love," that he can't lose her and it won't happen anymore.¹⁰¹ The police officer who responded to Ms. Thompson's July 22 911 call wrote in his report that Ms. Thompson said on Monday, she stayed in the apartment with Mr. Elliott's friend and that when Mr. Elliott returned, he picked her up and threw her against the wall; that on Tuesday, she and Mr. Elliott did not fight and that Mr. Elliott cried and said to her that he loved her, that he did not want to have to put his hands on her, that "it's tough love."¹⁰²

Ms. Thompson had not told the League's investigators about having been choked during this incident or about having been thrown against the wall. The hand injury depicted in Exhibit 6B is, according to the doctors the League retained, consistent with Ms. Thompson's hand having struck a wall on July 19. In addition, the injuries depicted in later photographs of Ms. Thompson's hips, Exhibits 10A-D, are consistent with Ms. Thompson having been lifted up just above the hips by two hands, as one might do to throw her. There was no photograph of Ms. Thompson's neck taken on July 21 when she took 6B however her aunt, as stated above,

⁹⁹ There was no record of this Facetime call in the call log in Ms. Glenn's phone however there was such a call to her niece Tiffany Thompson the next day, Thursday, July 21, 2016.

¹⁰⁰ When first interviewed on October 6, 2016, Ms. Glenn stated that the next time she had seen Ms. Thompson was on Wednesday. When an investigator went back to Ms. Glenn on April 7, 2017, to ask her for more details about what she had seen on Ms. Thompson's neck back in July, Ms. Glenn said it was the "next day," indicating the day after Monday. When asked if she was sure the next time she saw Ms. Thompson was Tuesday, as opposed to Wednesday as she originally told the investigators, Ms. Glenn stated that she was not sure.

¹⁰¹ See Exhibit 40.

¹⁰² See Exhibit 12.

said she saw bruising on both sides of Ms. Thompson's neck on July 20, so the older bite mark the doctors identified in Exhibit 3E and the resolving "hickey" directly under it on the left side of Ms. Thompson's neck, could not account for the bruising Ms. Glenn saw on "both" sides of Ms. Thompson's neck. And finally, bruising consistent with what Ms. Glenn stated she observed on Ms. Thompson's neck can be seen in Exhibits 8F and 9E.

In her recorded interview with the Columbus City Attorney's Office, Ms. Thompson said that Monday into Tuesday, they started arguing again and that Mr. Elliott said to her, "you in my house, you're my puppy dog." She said she tried to get up and he said to her, "Sit the fuck down." She said he grabbed her by her arms and threw her on the bed and said, "Don't move. Listen to me." She said he took her phone and her car key and she kept trying to get up, but he put his finger into her face; that it was "an aggressive point going into my skin" and he "kept smacking my face to turn back" and look at him. She told the City Attorney interviewer that they spent the whole day Tuesday together in his house because Mr. Elliott told her she had to. She said he was crying and saying he was sorry; that he didn't know what had gotten into him, that it was "tough love."¹⁰³

When Mr. Elliott was interviewed by the League's investigators, he said that he did not come home on the night of Monday, July 18 and arrived home the morning of Tuesday, July 19. Mr. Elliott denied having pushed Ms. Thompson onto the bed, slapping her or shaking her by the arms. He said they did have an argument that morning, that it was about him trying to get her to leave his house. He said she would not leave and so they started arguing. He said Mr. Jackson was there the whole time. Both deny that there was any physical altercation whatsoever.

No text messages relevant to this July 19 incident were recovered. There is a gap in the text messages recovered from Ms. Thompson's phone between Ms. Thompson and Mr. Elliott from July 18, 10:29 p.m. and July 20, 11:18 a.m. Mr. Elliott did not provide the League with any of his text message communication with Ms. Thompson during this week of July, although requested to do so on numerous occasions.

Tuesday, July 19 Afternoon – Thursday, July 21, 4 a.m.

After the alleged assault on the morning of July 19 when Mr. Elliott got home after having been out all night, according to Ms. Thompson and Mr. Jackson, they along with Mr. Elliott spent the day of July 19 in Mr. Elliott's Canvasback Lane apartment. Mr. Jackson said he went out that night leaving Ms. Thompson and Mr. Elliott in the apartment. He says that he got back to the apartment at 3 or 4 a.m. on Wednesday morning, July 20, that they all hung out together and that eventually they had dinner at the mall and went over to the Carriage House where Mr. Elliott was staying having just moved out of his Canvasback Lane apartment that

¹⁰³ See Exhibit 41.

day. Later that night, they all ended up at the bar Fourth Street. They stayed at Fourth Street until about 4:00 a.m. on Thursday morning, July 21.¹⁰⁴

While at Fourth Street, a man named Chiedu Bosah, in an affidavit submitted to the City Attorney by Mr. Elliott's counsel,¹⁰⁵ stated that he did not observe any "noticeable bruises, cuts, or injuries on Tiffany's body" that night. He also said that he took two photos of Ms. Thompson at 1:55 a.m. The League was provided with both of these photos in non-digital form such that no meta data could be recovered from them to definitively establish the date, time and place they were taken.¹⁰⁶ The first photo, Exhibit 4A, shows three smiling people, Ms. Thompson, Mr. Elliott and another man, who Mr. Bosah said in his affidavit was himself.¹⁰⁷ Ms. Thompson is wearing a thick black choker around her neck. Both doctors pointed out that the quality of this photograph made it difficult to denote if Ms. Thompson had any injuries. They also noted the eye makeup that Ms. Thompson had on and the dark lighting in the photograph. They stated that they could discern no visible bruises on Ms. Thompson in this photograph. Exhibit 4B shows five men facing the camera and one woman's back. Mr. Elliott is one of the five men and he is hugging the woman in the photo. Dr. Giordano stated that the left side of the photograph, which includes a portion of the woman's back and part of her right arm, is out of focus; that her right shoulder and upper back are obscured by Mr. Elliott's right arm, which is also out of focus and, therefore, it is difficult to draw any conclusions about the presence or absence of injuries. She did note a large brownish mark over the woman's right scapula (shoulderblade) which she said could represent a contusion. However, she went on to say that as it appears to be contiguous with a similar brown shadow on Mr. Elliott's forearm above his wrist, it is more likely an artifact. Dr. Thanning stated that there did appear to her be a bruise on Ms. Thompson's back in the photo and she thought from its appearance in the photo that it could date back to the July 17 incident.

Mr. Jackson in his affidavit¹⁰⁸ stated that another photo of Ms. Thompson was taken that night at 3:27 a.m. This photo, Exhibit 5, was submitted to the City Attorney's Office as well. The League requested that the NFLPA provide the League with a digital version of this photograph as well, but again were told that Mr. Elliott does not possess the photograph in that format. Thus, the date, time and place that this photograph was taken could not be definitively established by examining the meta data. It should be noted, however, the words "Columbus- Italian Village July 21 3:27 AM" appear at the top of the photograph. This photograph depicts a woman wearing a thick black choker and a v-necked blue top. It shows her from the right side and goes from the chin area to just below her breasts. The woman's left forearm is depicted in the photo, bent at the elbow.

¹⁰⁴ See Exhibit 42.

¹⁰⁵ See Exhibit 47, Affidavit of Chiedu Bosah dated 8/15/16.

¹⁰⁶ The League's investigators requested that Mr. Elliott's attorneys provide the League with digital versions of these photographs but were told that these are the only versions Mr. Elliott has.

¹⁰⁷ See Exhibit 47.

¹⁰⁸ See Exhibit 42.

Both doctors pointed out that the quality of this photograph made it difficult to denote if the woman had any injuries. They stated that they could discern no visible bruises on Ms. Thompson in this photograph but they did note an area of discoloration on her arm that could be bruising or could be shadow from the poor lighting.

Ms. Thompson's version of the day of July 20 to the League's investigators is similar to Mr. Jackson's, as stated in his affidavit. Ms. Thompson added that at one point during the afternoon of Wednesday, July 20, she went home to her own apartment and then went to the mall; that she was at the mall when Mr. Elliott called her and said he was going to meet her there and that they would go to Petland together to get some things for his dog and then go have dinner. She too said they went to Fourth Street and stayed there until the early morning hours of Thursday, July 21. She said when they were leaving Fourth Street, Mr. Elliott and Mr. Jackson got into a verbal argument about who was going to drive home; that Mr. Jackson wanted to because he thought Mr. Elliott was too drunk to drive. She said Mr. Elliott ended up driving her and himself back to Carriage House, leaving Mr. Jackson to get back on his own.

Mr. Elliott's version of the day of Wednesday July 20 into the early morning hours of Thursday July 21 is similar to both Mr. Jackson's and Ms. Thompson's. He too says he met Ms. Thompson at the mall to buy things for the dog, that they had dinner together and then went to Fourth Street. He was asked by the investigators to explain the contradiction between his statements that he had been trying to get rid of Ms. Thompson all week and then his having spent all this time with her that day and he stated, "that night, she was actually with me"; that he wanted her with him that evening. Mr. Elliott went on in his interview with the investigators to say that Ms. Thompson's version of the fight outside of the bar later that night, about him being too drunk to drive home, was true.

Text messages recovered from Ms. Thompson's phone show she and Mr. Elliott texting back and forth on July 20 starting at 11:18:56 a.m. when Ms. Thompson asked Mr. Elliott if he found her Nike leggings and he replied that he had them. She then asked him what he wanted her to do today and he replied, "I mean idc¹⁰⁹ just cleaning the stuff out." She asked him if he wanted her to "just leave you be today?" and he responded, "I'll just let you know when I'm done." She asked him to "come sign the lease before they close today." Earlier text messages established that Ms. Thompson needed Mr. Elliott to sign something so she could end the lease on the Dublin apartment that he had been paying for. Ms. Thompson then went on to say, "Bc obviously you don't wanna stay with me tonight and be with me." He replied, "Chillin," "Chill." They then had some more back and forth about going to sign the lease and her coming over to pick up her dog's cage and drop off clothes belonging to Mr. Elliott and him needing to go to the bank to get cash for her. It was now 2:24 in the afternoon and she said to him, "We haven't done anything together this whole time you've been here and normally we do." He replied, "Whatever you want." She texted that she wanted him to call her. Then she wanted to know

¹⁰⁹ Text language for "I don't care."

what he and Mr. Jackson were texting about “this morning about two girls” and Mr. Elliott replied that it had nothing to do with him. She expressed that she did not believe him. He eventually asked her what store she was at and she told him H&M. This last text was at 3:43:58 p.m. and then there is a gap in the texts recovered until 5:57:06 p.m. This is likely the time they met up at the mall.¹¹⁰

Their text messages go on and off from 5:57:06 p.m. until 6:58:29 p.m. with her asking a number of times what he is doing later, is she going to stay with him tonight, is she invited to go out with him and stay with him. Texts in this vein go on from 5:57:06 – 6:53:04 p.m. His phone records provided by the NFLPA reflect that he called her at 6:10 p.m. for “1” and that she called him at 6:32 p.m. for “1.” Both calls were on his 214#. ¹¹¹ At 6:58:29 p.m., he responded via text saying, “Yea.” Thereafter there are a series of text messages about how much longer is he going to be. Mr. Elliott’s phone records reflect a call from him to Ms. Thompson, again on his 214#, at 9:17 p.m. for “2.”¹¹²

At 9:22:01 p.m., Ms. Thompson texted Mr. Elliott and said “You’ve had so many excuses before and what not don’t want you just leave me behind,” and he responded, “Look man I’m about to send u the address when I get there.” He then sent her a link to the website for the Carriage House and told her the address. About ½ hour later when she had not arrived at the Carriage House, he texted her asking where she was and in response to her question, “when you do want me to come,” he said, “come.” Then he told her to wait a little while. Another ½ hour later, he said that he was on the way to meet her. It was now 10:42 p.m. Wednesday July 20.¹¹³ There are no more recovered text messages between them until 2:34:37 p.m. the next day, Thursday, July 21.

Thursday, July 21 Approximately 4 a.m. Alleged Incident After Mr. Elliott Had Driven Home Intoxicated

According to Mr. Jackson, he, Mr. Elliott and Ms. Thompson were all back at Carriage House about 4 a.m. on Thursday morning, July 21.¹¹⁴ Ms. Thompson told the League’s investigators that when she and Mr. Elliott got back to Carriage House, she and Mr. Elliott were arguing and that at some point, Mr. Jackson walked in. She said that she and Mr. Elliott were going back and forth about everything that had happened in the past. She said that during this argument, Mr. Elliott picked her up and threw her against the storage closet; that she fell to the ground. She said that Mr. Jackson told Mr. Elliott to stop. She said she and Mr. Elliott took the argument into the bedroom and shut the door. She said as she was walking toward the laundry room to get something, she said something that really made Mr. Elliott angry – she said that she could not recall what – and

¹¹⁰ See Exhibit 48, Text messages exchanged between Tiffany Thompson and Ezekiel Elliott 7/20/16.

¹¹¹ See Exhibit 103.

¹¹² See Exhibit 103.

¹¹³ See Exhibit 48.

¹¹⁴ See Exhibit 42.

he “attacked” her. She said that he pinned her to the floor and started choking her and that this left a bruise line across her neck. She said he was grabbing her arms, leaving thumb prints on them and then going back to choking her, first with one hand and then with both. Photographs taken on July 22, Exhibits 7A-H, 9A-E, 10A-D show both a large area of bruising on Ms. Thompson’s neck, bruises on her arms consistent with grab marks, bruises on her hips and sides consistent with being held down or picked up, other bruises consistent with blunt force trauma as would occur from impact with a hard object, that both Drs. Thanning and Giordano say are consistent with having been sustained a few days earlier.¹¹⁵

Ms. Thompson told the investigators that she couldn’t breathe when Mr. Elliott was choking her, so she started kicking at him at which point he got off of her and she went to grab her things to leave. She said she told him that she was going to call the police and he said, “No, you’re not,” and he pushed her into the side of the bed and her hip hit the side of the bed because it was a high bed. She said she took photographs of her hip the next morning before she went to the prosecutor’s office. Those photographs, Exhibits 9A-D, depict an apparent large bruise on Ms. Thompson’s right hip and they appear to have been taken at the City Attorney’s Office as the last photograph in the series, Exhibit 9E, shows Ms. Thompson sitting in the same room 9A-D were taken in holding a City Attorney’s Office Intake sign.¹¹⁶

Ms. Thompson told the League’s investigators that after her hip hit the bed, she sat down in a chair and started “bawling.” She said Mr. Elliott laid down in the bed and went to sleep. She said he was so intoxicated that he immediately “passed out.” She said that she stayed until later in the morning and then went back to her apartment.

Mr. Elliott during his interview with the League’s investigators denied ever physically assaulting Ms. Thompson that week. He said Mr. Jackson was right there the whole time. Mr. Jackson in his affidavit stated the following about the early morning hours of Thursday, July 21. He said the three of them went back to the Carriage House and that “we encouraged” Ms. Thompson to stay as she was too intoxicated to drive. He said that his bedroom was across from Mr. Elliott’s and he “did not hear or see any type of physical abuse, altercation or fighting.”¹¹⁷ Mr. Elliott, however, told the League’s investigators that he and Ms. Thompson were arguing that night, that he could not recall about what, but that they did not threaten each other in anyway. He specifically denied ever pinning Ms. Thompson to the floor and he said at no time did Mr. Jackson ever come into his room to stop him from assaulting her. Mr. Elliott further stated that he did not observe any bruises on Ms. Thompson the evening of July 20, 2016. When told that Ms. Thompson said she was wearing a thick choker that night to hide bruising from him having choked her earlier, Mr. Elliott replied, that was a “hickey”

¹¹⁵ See their opinions regarding these photographs, one by one, on pages 59-61 (7A-H), 67-68 (9A-E), and 70-71 (10A-D) of this report.

¹¹⁶ See Exhibits 9A-D, Photographs taken at the City Attorney’s Office on the afternoon of July 22, 2016.

¹¹⁷ See Exhibit 42.

and that he had given it to her. He said when they woke up the morning of July 21, Ms. Thompson wanted to spend one more day with him and he said, okay, because he wanted to “end this” as non-confrontationally as possible. Mr. Jackson said in his affidavit, that he, Mr. Elliott and Ms. Thompson stayed at the Carriage House until 5 p.m. that day, Thursday, July 21, when Ms. Thompson left and he and Mr. Elliott remained. He said that Ms. Thompson was wearing a tank top and shorts all day and he “did not observe any bruises on her body, leg, neck or hands.”¹¹⁸

In the written statement Ms. Thompson provided to the police on July 22, with regard to this incident, she stated that Mr. Elliott drove off from Fourth Street leaving his friends Alvarez and Jeffie behind; that she and he got home and he picked her up and threw her against the wall repeatedly. She said she tried to grab her things and leave but he grabbed them from her and pushed her towards the laundry room located in the master bedroom. She said she tried to go towards the front door but he grabbed her by her neck, choked her until she started to gasp for breath and then dragged her across the carpet with one hand pulling her hair and the other around her neck. She said that she ended up with bruises all over her arms and wrists, that she had rug burns on her right knee and bite marks on her right shoulder.¹¹⁹

The police officer who responded to Ms. Thompson’s 911 call on July 22 wrote in his report that with regard to this July 21 incident, Ms. Thompson told him that everything was fine between them until they got home from Fourth Street when she asked him a question – she said she could not recall what it was – and he “lost it” and picked her up under her arms under her armpits and threw her against the wall; that he then grabbed her throat and after releasing it, dragged her across the floor leaving a rug burn on her right knee.¹²⁰

In her recorded interview at the City Attorney’s Office, Ms. Thompson stated with regard to this July 21 incident that Mr. Elliott picked her up under both underarms off the bed where she had been sitting and carried her to the hallway and threw her up against the door of the storage closet. She said she fell and hit her head and felt dizzy. She said she tried to get up and he dragged her into the bedroom and told her to “lay my ass down; that he was not playing with me.” She said that she then tried to get her things and he took her phone and said he was going to call the guy she had been seeing when she and Mr. Elliott had been broken up. She said he dialed the number but his call was not answered and he then sent this man a text.¹²¹ She said she started bringing up all the things he had done to her in the past, cheating on her with multiple people. She said that’s when she walked to the laundry room to make sure she didn’t have anything in there and he grabbed her neck with one hand and pinned her down to the floor and he got on top of her and started shaking her and she

¹¹⁸ See Exhibit 42.

¹¹⁹ See Exhibit 40.

¹²⁰ See Exhibit 12.

¹²¹ Forensic analysis of Mr. Thompson’s phone did not reveal such a text message. There is a gap in the text messages recovered that goes from 12:27:37 a.m. on the morning of July 21 until 2:34:37 p.m. that afternoon.

started gasping for breath. She said he then lifted her up and threw her away from her things, up against the bed and said to her that he was not “dealing with her dumb ass anymore.” She said he then laid on the bed and said, “Try to leave and see what happens.” She said she stayed and laid awake all night because she was scared to leave. She said in the morning he woke up and told her that he didn’t know what’s wrong with him. She said she left the apartment right after he left that morning.¹²²

There were three photographs recovered from Ms. Thompson’s phone that were taken on the afternoon of July 21 between 2:18 and 2:36 p.m.¹²³ The meta data recovered from these photographs show that two were taken in the parking lot of the Carriage House; ¹²⁴the third was taken on a highway along Ms. Thompson’s route home to her apartment in Dublin.¹²⁵ These photographs have been described in detail earlier in this report, see pages 41-42. Both Drs. Thanning and Giordano stated that the injury to Ms. Thompson’s right eye depicted in 6C was very recent, sustained within 24 hours. Dr. Thanning stated that she thought the other injuries depicted in these photos were 2-3 days old, saying that she believed from their appearance that they were most likely sustained during the July 18 or 19th incident. Dr. Giordano stated that she thought the injuries were recent, within the previous two days.

A screen capture recovered from Ms. Thompson’s phone of a chat/SMS conversation between Ms. Thompson and her mother on July 21 at 2:56:23 p.m. shows that Ms. Thompson sent her mother the photographs she took of her injuries that afternoon. ¹²⁶When interviewed by the League’s investigators, Mrs. Thompson stated that she did not recall having heard anything about her daughter being abused during the week of July 16-22, 2016 until the week was over. However, her attention was not specifically drawn to her receipt of these photos as her text exchange with her daughter had not yet been recovered from her daughter’s phone at the time of her interview.

In addition to the evidence of injury noted above, Ms. Thompson’s friend Aylin Mason also provides further evidence that Ms. Thompson had various injuries before the fight on 7/22 in the parking lot with another female. Ms. Mason told the League’s investigators that she went over to Ms. Thompson’s apartment on the morning of July 21 to hang out and that as soon as she walked in, Ms. Thompson showed her bruises on her neck, on one arm, and on her pelvis and stated to Ms. Mason that she “can’t do this anymore.” Ms. Mason said that Ms. Thompson told her that Mr. Elliott had choked her and dragged her across the apartment by her hair. Ms. Mason said that the only other time she had seen bruises on Ms. Thompson that had to do

¹²² See Exhibit 41.

¹²³ Exhibits # 6A, B & C

¹²⁴ Exhibit # 6A & B

¹²⁵ Exhibit 6C.

¹²⁶ Exhibit 49, Screen shot from Tiffany Thompson’s cell phone of a chat/SMS text between herself and her mother, Tessie Thompson, 7/21/16 at 2:56:23 p.m.

with Mr. Elliott was in photographs that Ms. Thompson had sent her that showed bruises on Ms. Thompson's inner thighs which Ms. Thompson had said came from rough sex. What Ms. Mason saw and heard that morning in Ms. Thompson's apartment was not part of the affidavit that was prepared for her by Mr. Elliott's attorney; that affidavit only covered what happened on July 22.¹²⁷

Other evidence that Ms. Thompson and Ms. Elliott had a violent fight in the early morning hours of July 21 comes from the following: Mrs. Thompson told the League's investigators that on one occasion, her daughter called her to come repair a hole in the drywall at the Carriage House. The only time Ms. Thompson was in the Carriage House was the afternoon of July 20 and the early morning hours of July 21, so this call had to be the morning of July 21. Mrs. Thompson said that she asked her daughter how the hole in the drywall got there and that her daughter said she wasn't sure. After learning about this call from Mrs. Thompson, the League's investigators asked Ms. Thompson about it as she had not mentioned this in earlier interviews. She told the investigators that she called her mother on the morning of July 21, the same day that Mr. Elliott had choked her, about fixing a hole in the wall at the Carriage House and that the hole in the wall was from Ms. Thompson throwing Mr. Elliott's phone against the wall; that it was his phone he used for talking to other girls.

The first recovered text message between Ms. Thompson and Mr. Elliott on July 21 was sent by Ms. Thompson to Mr. Elliott at 2:34:37 p.m. that afternoon, right in the middle of her taking the photographs of her injuries while in her car. The text says, "It's tiff," and right after, "Call me asap." At 2:36, as stated above, she took the last of these injury photographs. At 2:39:40 p.m., he responded, "Wat's up" and she replied at 2:48:45 p.m. that she just "rearended someone. They then went back and forth about getting the car fixed, did she have the cash he gave her and getting the wall fixed in his place. At 3:26:47 p.m., he said he "feel so sick" and then there is more back and forth about fixing the wall.¹²⁸

Mr. Elliott's phone records during this period of time show that he called Ms. Thompson at 2:38 p.m. from his 614# for "1" and then from his 214#, at 2:39, 2:44, 2:45 and 2:45 p.m., each for "1." They also reflect that she called him at 2:48 for "2." His phone records further reflect that she called him at 3:41 and 4:03 p.m. for "2" and "1" respectively, and that he then received four incoming calls from her at 6:38, 6:39, 6:43 p.m. and 7:42 p.m., all but the last one registered as "1", the last one registered as "2." His records also reflect an incoming call from her at 7:29 p.m. lasting for "2" on his other phone number, the 614#.¹²⁹

At 8:46:51 p.m., Ms. Thompson asked Mr. Elliott via text if he would just "come lay with me for a little." His phone records reflect an incoming call on his 614# from her at 8:49 p.m. for "1." At 9:37:34 p.m., he texted her saying, "u gotta go," to which she responded, "I'm sorry I just got my ass beat and don't wanna

¹²⁷ Exhibit 50, Affidavit of Ayrin Mason dated 7/28/16.

¹²⁸ See Exhibit 51, Text messages exchanged between Tiffany Thompson and Ezekiel Elliott 7/21/16-7/22/16.

¹²⁹ See Exhibit 103.

leave you.”¹³⁰ Ms. Thompson told investigators that this text related to what Mr. Elliott had done to her earlier that morning.

Evening of Thursday, July 21 – Early Morning Hours of Friday, July 22: Events Leading Up To The Last Alleged Assault

Ms. Thompson told the League’s investigators that she went home to her apartment the morning of July 21 and then returned to the Carriage House to get ready for Mr. Elliott’s birthday party which was scheduled to take place later that night at a club called The Social Room. She told investigators that “all of a sudden,” at around 10:00 p.m., he came into the room and told her she had to leave and that she asked him why. She said that he then said she should come to his party with him and that she could come home with him afterwards. She said she then went to her friend Ayrin’s and she and Ayrin were going to go to the party together.

Mr. Elliott told investigators that he went to Ms. Thompson’s house the day of his party and told her that they “gotta be done.” He said he told her that he did not want to see her anymore and that she should not try to come out with him that night. He said later that day, he got back to the Carriage House and she was inside his apartment, in his bed and he again told her he did not want her there. He said it must have finally gotten through to her that he was serious and “it like flipped a switch in her head” and she started threatening him, saying she was going to “ruin him.” He told the investigators that she had been threatening this all week. When asked if Mr. Jackson had been present for any of these alleged threats that week, Mr. Elliott said 15 people heard her say this the night of his party and indeed, there would appear to be no question that Ms. Thompson uttered such words in the Carriage House parking lot in the very early morning hours of July 22 as her own friend Ayrin Mason says that she did. There is no independent evidence that Ms. Thompson made such a threat earlier in the week. Mr. Jackson, who Mr. Elliott says was there with him and Ms. Thompson almost the entire time they were together all that week, did not state in either of his affidavits that he heard Ms. Thompson make such a threat earlier in the week.¹³¹

A number of Mr. Elliott’s friends, in affidavits submitted to the City Attorney’s Office by Mr. Elliott’s attorney, stated that Mr. Elliott had told them that evening that he did not want Ms. Thompson to come to his party.¹³² It appears from the text messages exchanged between Mr. Elliott and Ms. Thompson that night that Ms. Thompson was at the Carriage House in a different room of the apartment than Mr. Elliott and that rather than speaking face-to-face, they were texting back and forth. Ms. Thompson’s text requesting Mr. Elliott to

¹³⁰ See Exhibit 51.

¹³¹ See Exhibit 42.

¹³² See Exhibits 52, & 53, Affidavit of Bijan Moazampour dated 8/1/16 and Affidavit of Alvarez Jackson’s 8/2/16, respectively.

"come lay with her for a while" was sent at 8:46:51 p.m. His text saying, "u gotta go" was sent at 9:37:34 p.m. This text exchange suggests that Ms. Thompson was in a bedroom at the Carriage House and that Mr. Elliott was in another room. Her reply to him after he told her to leave, that she had "just got her ass beat" and didn't want to leave him and "I'm sorry I want to spend your birthday with you since you are going to Miami for the weekend," were sent at 9:38 p.m. He responded at 9:57:27 p.m., and said, "Can u listen to me. For once," "Just have a bad feeling," "U should leave," "Really." She then told him that her aunt had come to pick up her dog and she said, "We're going to have a good time tonight," "I'm just gonna smoke," to which he replied, "Naw man." She then said "You told me last night we were going to so stick to what you say please." He replied, "We really can't do this anymore," and "About to just not go out," "Stay at my dads." She told him to "calm down," "Everything will be okay tonight," "Listen to me for just one time," "You owe me," "Least you can do for me," at which point he responded, "Not in the mood man," "I honestly." She went on to say, "I'm sorry," "I love you," "I love you so fucking much," "I need to talk to you."¹³³ This last text was sent at 10:14:38 p.m. There is no recovered text message that shows a response from Mr. Elliott to this series of texts from Ms. Thompson.

Mr. Elliott's cell phone records provided by the NFLPA had all the text record information for July 16 – July 21 at 10 p.m. redacted. The first text message entry that is visible is at 10:07 p.m. on July 21 and it shows that Mr. Elliott received an incoming text from Ms. Thompson at that time. The records further show that he received another incoming text from her at 10:07 and two incoming texts from her at 10:08 p.m. The records do not show the substance of these texts as they are billing records, not records recovered from his cell phone.¹³⁴ Further, they do not show Mr. Elliott receiving any other texts from Ms. Thompson that night, although many such texts were recovered from Ms. Thompson's phone, as detailed below. In addition, the records provided to the League show no text messages between them for the rest of the billing period which ended on August 15, 2016 and, again, text messages for this period of time were recovered from Ms. Thompson's phone.¹³⁵

His phone records show a picture video being sent to him on his 214# from her at 9:06 p.m. and then incoming calls from her on his 214# at 10:52 and 11:04 p.m. The first for "1," the second for "7." He then called her three times, twice at 11:11 and once at 11:12 p.m., all for "1" and then she called him at 11:13 for "8." At 11:21, he called her for "1" and the records reflect she called him at 11:21 for "2" and then she called him again at 11:23 for "1." The records further reflect a call from him to her at 11:42 p.m. for "1."¹³⁶

¹³³ See Exhibit 51.

¹³⁴ See Exhibit 103.

¹³⁵ See Exhibit 103.

¹³⁶ See Exhibit 103.

The next recovered text sent by Ms. Thompson to Mr. Elliott was sent at 11:43:52 p.m. that night, July 21, at which time, Ms. Thompson texted Mr. Elliott on his other phone, the 614#, saying, "Police are involved." No response from Mr. Elliott was recovered. At 12:06:57 a.m., now on July 22, she texted him, "I have to go to the station tomorrow for them to take pictures of me. Congrats bro."¹³⁷ And at 12:08 a.m., there is an incoming call from her on his 614# for "1."¹³⁸ Mr. Elliott told investigators when he got these texts, he did not believe that Ms. Thompson had really called the police but thought she might still do so later in the night. He told the investigators that is the reason he then invited her to his party. He said he told her, "Tiffany, if you really want to spend my birthday with me, you're going to leave me alone after this? Okay, you can come celebrate my birthday with me." In fact, his text messages back to her said the following: At 12:09:14 a.m., he said, "Where are u" and getting no response, at 12:11:48 a.m., texted her again saying, "Never had your number blocked." She responded by asking him where was he and he replied "Why are u not out celebrating my bday with me," "U said u wanted to spend this day with me but all u tryin to do is ruin it," "U don't love me."¹³⁹ After this text exchange, Ms. Thompson and her friend Ayrin Mason went to the party at The Social Room.

Ms. Thompson told investigators that she had decided to call the police that night, referring to the night of July 21, after talking to her friend Ayrin about everything that had happened that week. She said that Ayrin saw all of the bruises and her neck and tried to help her cover up the bruises with make-up. She said she decided to call the police because, "I was fed up with everything. I couldn't take it anymore and I knew that if I didn't go into legal actions, it would keep going on and on. And that Wednesday night, when I almost possibly like could have lost my life, by not breathing, it just made me realize, like, I couldn't, I couldn't handle it anymore." She told investigators that she then called the non-emergency number while she was at Ayrin's and told them she wanted to report domestic violence and they told her to come in the next day to make the report. She said that she did not want to make the report until after Mr. Elliott left for Miami the next day because she was afraid of him.

The League's investigators attempted to obtain a record from the Columbus Police Department regarding Ms. Thompson's call to the non-emergency number, but were unable to do so, the Columbus Police Department's Public Records division stating that they could find no record of this call. Ms. Mason told the League's investigators that indeed Ms. Thompson made this call. Ms. Mason told the investigators that when Ms. Thompson arrived at her house that night, Ms. Thompson asked Ms. Mason if Ms. Thompson should file a police report and Ms. Mason said she told Ms. Thompson, yes. Ms. Mason told investigators that Ms. Thompson then called the police non-emergency number while in Ms. Mason's presence. She said that Ms. Thompson planned to go in and file a police report on Friday (July 22). Ms. Mason said that she and Ms.

¹³⁷ See Exhibit 51.

¹³⁸ See Exhibit 103.

¹³⁹ See Exhibit 51.

Thompson then went to Mr. Elliott's party. She said that she did not help Ms. Thompson cover up her bruises with make-up before going but that she did observe bruises on her that day.

Ms. Thompson's Aunt Elaine Glenn told investigators that Ms. Thompson called her that Thursday (July 21) morning.¹⁴⁰ Ms. Glenn said she was asleep at the time and when she woke up, she texted Ms. Thompson asking her if she was okay. Ms. Glenn said that Ms. Thompson texted her back and said that she was ready to go to the police; that Mr. Elliott kept grabbing her. Ms. Glenn said the next time she spoke to Ms. Thompson, Ms. Thompson was at Ayrin's house and Ms. Glenn asked her niece if she was safe and Ms. Thompson replied, yes, and Ms. Glenn told Ms. Thompson that she was praying for her.

Ms. Thompson and Ms. Glenn's text message exchange on the night of July 21 was recovered from Ms. Glenn's phone and it shows that at 10:58:11 p.m. on July 21, Ms. Thompson texted her aunt saying, "I'm ready to go to the police," and at 10:58:17 p.m. stated, "My body hurts so bad."¹⁴¹ This was 45 minutes after Ms. Thompson had sent the series of text messages to Mr. Elliott telling him she loved him and getting no response.

At 10:58:12 p.m., the recovered text messages show that Ms. Glenn texted Ms. Thompson back saying, "Has he hit you more?" and Ms. Thompson responded at 10:58:52, "He just kept grabbing me." Her aunt then responded, "Why?," "Did you tell him you were going to the police," and Ms. Thompson replied, "I said I need to do something about it." Ms. Glenn then asked, "And he didn't care," to which Ms. Thompson responded, "He did." Ms. Glenn asked, "Did it make him more pissed," "Where are you," "Tiff?," "Tiff," "What is going on," "Tiff". Ms. Thompson then responded, "Yeah?," "My friend Syrians," "Ayrins." Her aunt then asked her, "Are you safe" to which Ms. Thompson responded, "Yes." Her aunt's final texts that night were, "Okay I'll be at work at 7am if you need to talk in the morning," "I love you and please let me know what's going on. I'm praying for you pretty girl," "Call your nane."¹⁴²

Early Morning Hours of Friday, July 22: The Party at The Social Room and the Fight with the Woman in the Parking Lot

Ms. Thompson and her friend Ayrin Mason arrived at the party at The Social Room after midnight on Friday July 22. Ms. Thompson was asked by the League's investigators why she would go to Mr. Elliott's party after having decided to report him to the police. She responded by saying, "It was just like I stayed there after every incident." She elaborated on this later, saying, that after she had told Mr. Elliott in a text that she had called the police, he accused her of trying to ruin his birthday and he told her to come celebrate with him, so

¹⁴⁰ See Exhibit 54, Call log from Elaine Glenn's cell phone for the morning of 7/21/16 that corroborates that she made this call.

¹⁴¹ See Exhibit 55, Text message exchange between Tiffany Thompson and Elaine Glenn night of 7/21/16.

¹⁴² See Exhibit 55.

she went to the party and told him that she was not trying to ruin his birthday “but this does need to stop.” She said that she was in his section for 5-10 minutes, that she was not drinking and then decided to leave the party early. She denied that Mr. Elliott had told her to get out of his section of the club.

Ms. Thompson said that when she was leaving the club, a girl grabbed her hair and started screaming at her. Ms. Thompson said that this girl had been in Mr. Elliott’s section of the club when Ms. Thompson was there earlier and had been looking at her funny. Ms. Thompson said when she left the club, she saw this girl outside throwing up and called her a name and the girl then came after her and pulled her hair and wanted to fight. Ms. Thompson said she did not get into a fight with this girl, that the girl pulled her hair and Ms. Thompson turned around and “got in her face” at which point the girl took a swing at Ms. Thompson and people pulled Ms. Thompson away. Ms. Thompson said that the girl’s swing did not make contact with her, nor did she fall down at any point during this exchange. Ms. Thompson was asked by the investigators about a text message she sent to Mr. Elliott after this altercation in which she had written, “I just got fucking beat by one of your hoes bitch.”¹⁴³ Ms. Thompson denied having gotten “beaten” by the girl and said she only said this to Mr. Elliott to make him feel bad.” Ms. Thompson described the altercation with this woman to Robert Tobias of the City Attorney’s Office and the Intake Officer at his office the same way she had to the League’s investigators, denying that there was any physical contact other than hair-grabbing.¹⁴⁴

Ayrin Mason also told the League’s investigators and the police later that day, as well as the City Attorney’s Office when she was interviewed there, that Ms. Thompson did not get into a physical altercation other than the hair-grabbing with this woman in the parking lot.¹⁴⁵ She said that she and Ms. Thompson had arrived at the party at about 1:00 a.m. When asked by the League’s investigators why Ms. Thompson would want to go to Mr. Elliott’s party, Ms. Mason said because it was Mr. Elliott’s birthday and she really did love him and she did not want anything to happen between him and the other girls who would be at the party.

Ms. Mason said that neither she nor Ms. Thompson had been drinking before arriving at the party and that at the party, they only had a little champagne. She said that Ms. Thompson and Mr. Elliott spoke “a little bit” at the party, that he had multiple other girls he was dating there as well who he was talking to and that Ms. Thompson kept following him around and he was ignoring her. She said that Mr. Elliott told Ms. Thompson to go talk to another football player and “kicked her out of his section of the club.” Ms. Mason said that Ms. Thompson went over to the other football player’s table and started dancing on it and that Mr. Elliott “was just laughing.” Ms. Mason said that at about 2:00, the music stopped and the lights came on and she and Ms. Thompson left the club. She said there was a girl throwing up by the door and Ms. Thompson called the girl a

¹⁴³ See Exhibit 97.

¹⁴⁴ See Exhibit 41 and Mr. Tobias’ interview.

¹⁴⁵ See Exhibits 56, Ayrin Mason’s written statement to Columbus Police Department dated 7/22/16, and 57, Transcript of Ayrin Mason’s interview by Columbus City Attorney’s Office Intake Officer dated 7/22/16.

“whore” because she thought that the girl was one of the girls Mr. Elliott was “messaging with.” Ms. Mason said that the girl came over to Ms. Thompson and pulled her hair and that Ms. Thompson grabbed the girl’s hair at which point Ms. Mason said she grabbed Ms. Thompson around the waist and pulled her back. Ms. Mason said this fight lasted 45 seconds to a minute “at most” and that no kicking or punching occurred during it. The Intake Officer at the City Attorney’s Office in his interview of Ms. Mason asked her if Ms. Thompson had any new bruises from the altercation in the parking lot with this other female and Ms. Mason said no, she just had the bruises from before.¹⁴⁶ Ms. Mason said the same thing to the League’s investigators when they asked this question. Despite this, in his correspondence of August 4, 2016, to the City Attorney’s Office, Mr. Salzano while reviewing Ms. Mason’s statements in the affidavit he prepared for her, stated:

Notably, Mason witnessed Thompson get into a physical altercation with another female outside the Social Room at approximately 2:00 a.m. [Mason Aff., Ex. F ¶ 2] It was Mason who grabbed Thompson’s waist to help separate her from the other female and break up the fight. [Mason Aff., Ex. F ¶ 3] *And, it was during this altercation that Thompson suffered injuries she later alleged were caused by Elliott.* [emphasis added]¹⁴⁷

Mr. Elliott’s attorney submitted four affidavits to the City Attorney’s Office from people who all said they saw the altercation in The Social Room’s parking lot, including one from Ms. Mason in which she stated, that as they were leaving the party, another female “physically assaulted Tiffany by first slapping Tiffany in the face and then pulling her hair. A fight ensued for a few minutes before it was broken up. I was able to help break up the fight by grabbing Tiffany’s waist to help separate her from the other female.”¹⁴⁸ Kenny Alvarado, the security manager at The Social Room, in his affidavit stated, that he was working at The Social Room on July 21, 2016 and “[at] approximately 2:10 a.m. that evening I witnessed a fight outside of Social on the sidewalk. Two females were punching each other and pulling each others hair. I recognized one to be Tiffany Thompson. I did not recognize the other participant. The fight was broken up by bystanders. The police briefly spoke with her. I don’t believe either person was arrested.”¹⁴⁹

The two other affidavits submitted to the City Attorney’s Office regarding this altercation outside of The Social Room came from two off-duty police officers who were working in the area as special duty officers that night. One, Kerry Cibulskas, had been with the Columbus PD for 17 years; the other, Brian Keefe, for 20 years. Both stated in their affidavits that they saw the altercation outside of The Social Room at 2:10 a.m. on the morning of July 22, 2016 and that both women involved were throwing punches with one hand and pulling each other’s hair with the other. Officer Keefe stated in his affidavit that he estimated that the altercation lasted

¹⁴⁶ See Exhibit 57.

¹⁴⁷ See Exhibit 85.

¹⁴⁸ See Exhibit 50.

¹⁴⁹ See Exhibit 58, Affidavit of Kenny Alvarado dated

60 seconds. Officer Cibulskas did not state any estimate of the time of the altercation in his affidavit. Neither stated in their affidavits that any of the punches landed on either of the participants in the altercation.¹⁵⁰

Robert Tobias, the Director of the Prosecution Resources Unit at the Columbus City Attorney's Office, told the League's investigators that he met with one of the police officers who had witnessed Ms. Thompson and the other girl at The Social Room "fighting and pulling each other's hair." He said this officer's version of what had occurred was very different than Ms. Thompson's and Ms. Mason's who had described the altercation as "being very short-lived, maybe one smack, one hair pulling." The police officer described it as "flying, punching, and falling to the ground." Mr. Tobias did not tell the League's investigators which police officer said this to him and as stated earlier, neither of the two officers who observed the fight stated such facts in their sworn affidavits. Both described it as punches being thrown – no statement that they landed – and hair-pulling. Officer Keefe said in his affidavit that the whole fight lasted 60 seconds.¹⁵¹

Regarding his party at The Social Room, Mr. Elliott told the League's investigators that he arrived a little after midnight and left at 2:30 a.m. His phone records reflect an incoming call from Ms. Thompson at 12:08 a.m. that neither he nor Ms. Thompson mentioned when interviewed by the League's investigators.¹⁵² Mr. Elliott went on to tell the League's investigators that Ms. Thompson arrived at the party with her friend. He said there were about 20 people, girls and guys, in his section and he spoke no more than 10-15 words to Ms. Thompson all night. He said that about 1:30, 1:40, Ms. Thompson came up to him and said, "I'm coming home to stay with you tonight, right," and he told her, "no." He said she then said, "Are you sure want that?" and he said, "Yes, I do not want you coming to stay with me" and she said back to him, "This is the worst decision you made in your life. I'm going to ruin your life." He said he was "like, whatever" and she left the party. No witness from the party stated in an affidavit that they heard Ms. Thompson make such a threat.

Text messages recovered from Ms. Thompson's phone show that they exchanged a few text messages while at the party. At 1:12:27 a.m., she texted him, "Come here" and at 1:26:56 he texted her back, "Happy birthday to me" with a smiley face and at 1:27:07, he said to her, "I have a fun night," to which she replied at 1:31:18, "Happy birthday abusive ass bitch." Her next text to him was at 2:12:08 when she told him that she got beat by one of his "hoes." She went on to say, "Actually not beat," "Lmao¹⁵³ in a fight," "You better be smart," "And not be a dumb man," "Bitch." Mr. Elliott's phone records reflect that he called Ms. Thompson at 2:23 a.m. for "1" and then on his other phone (614#), he called her at 2:23 a.m. for "1" and that she called him at 2:26 a.m. for "1." Text messages recovered from Ms. Thompson's phone show that Mr. Elliott texted Ms. Thompson at 2:26:29, saying, "I'm a bitch" to which she replied, "Keep fucking with the wrong bitch,"

¹⁵⁰ See Exhibits 59 & 60, Affidavits of Kerry Cibulskas and Brian Keefe, both dated 7/29/16.

¹⁵¹ See Exhibits 59 & 60.

¹⁵² See Exhibit 103.

¹⁵³ Text message language for "laughing my ass off."

“Not playing games,” “After party at Zekes yay.” He then responded, “U are.” She replied, “Your hoes fighting me.” He texted back, “I don’t have hoes” and she said, “You have lots but it’s okay remember.” He responded, “Night night” and she said back, “See you when you get home.” She repeated this again 49 seconds later. It was now 2:28:56 a.m. Mr. Elliott did not respond, at least not via text that the League could find in Ms. Thompson’s cell phone.¹⁵⁴ There are no more recovered text messages between them until four days later.

Ms. Thompson had a text message exchange with her friend Bren the night of July 21 – July 22 during which she told Bren that Mr. Elliott had abused her. On July 21, at 11:56 p.m., Bren texted Ms. Thompson and said, “Hope you’re doing alright !” Ms. Thompson responded at 11:57 p.m. saying, “I’m not,” “Kinda need you at this point.” At 12: 11 a.m. (July 22), Bren texted her back, “What’s wrong.” Ms. Thompson responded, “Literally I have been getting my ass beat.” Bren asked, “By who?!” and at 1:17 a.m., Ms. Thompson responded, “Zeke.” At 1:22, Bren said back, “He was beating you..not cool l.” At 3:16 a.m., Ms. Thompson responded, “I have bruises all over me and everything.”¹⁵⁵

Friday, July 22 Approximately 2:30 a.m. Alleged Incident in the Carriage House Parking Lot

The last alleged incident of physical violence between Mr. Elliott and Ms. Thompson is alleged to have occurred in the parking lot of the Carriage House at approximately 2:30 Friday morning, July 22, 2016. After the party at The Social Room, Mr. Elliott invited a number of people back to the Carriage House for an after-party. Whether he invited Ms. Thompson is a subject of dispute. She says that he did; he and others say he did not. Ms. Thompson said she and Mr. Elliott were Facetiming after she left The Social Room and that he asked her where she was and she told him she was sitting outside of the Carriage House. She told investigators that he replied, “Okay, we’ll be there soon.” Ms. Thompson was referred to her and Mr. Elliott’s actual text message exchange during that time period in which she said to him a number of times, “See you when you get home” and his only reply was, “Night, night.”¹⁵⁶ She said that Mr. Elliott was just “being a smart ass” and that he was “trying to make [her] mad.”

Ms. Thompson’s friend Ayrin Mason, when she was interviewed by the League’s investigators, was asked why she and Ms. Thompson would have gone to this after-party at the Carriage House given what had happened earlier in the night. Ms. Mason responded that she had wanted to go home, but Ms. Thompson didn’t want to drive her there. She said that as they were driving, Mr. Elliott Facetimed with Ms. Thompson and they had a conversation that “wasn’t bad.”¹⁵⁷ Ms. Mason said that they were both laughing and joking and

¹⁵⁴ See Exhibit 51.

¹⁵⁵ See Exhibit 81, Text message exchange between Bren and Tiffany Thompson 7/21/16-7/22/16.

¹⁵⁶ See Exhibit 51.

¹⁵⁷ This Facetiming conversation between Ms. Thompson and Mr. Elliott could not be independently established as the call log in Ms. Thompson’s phone did not go back that far and the League was never provided with Mr. Elliott’s phone to examine, nor the call log from that day.

that Ms. Thompson was still talking to him as they arrived at his apartment and she said to him she would see him when they got there.

The call log recovered from Ms. Thompson's phone showed no calls before 5:04 a.m. on July 22, 2016, so this Facetime call could not be independently established in that manner. Mr. Elliott's phone records, as stated above, reflect that he called Ms. Thompson at 2:21 a.m. for "1" and then on his other phone (614#) at 2:23 a.m. for "1" and that she called him at 2:26 a.m. for "1."¹⁵⁸ These three calls were before their text message exchange between 2:26:29 – 2:28:56 a.m. that ended with him saying, "Night night," to which she replied twice, "See you when you get home." Thus, the calls between them that show on his phone records could not be the call Ms. Mason or Ms. Thompson was talking about when they said the two of them were getting along. However, both Ms. Mason and Ms. Thompson said that this took place in a Facetime call and a Facetime call would not have shown on the Mr. Elliott's cell phone billing records; it only would have shown on the call log located in his Apple cell phone which was not provided to the League.

Regardless of whether she had been invited, all agree that she showed up in the parking lot with her friend Ayrin Mason before Mr. Elliott arrived. Everyone is also in agreement that when Mr. Elliott arrived in the lot in a vehicle being driven by a female friend of his, Taylor Sandbothe, Ms. Thompson became very angry and confronted Mr. Elliott and Ms. Sandbothe. Words were exchanged, after which Mr. Elliott and all other witnesses interviewed by the police and the League, including Ms. Thompson's friend Ayrin Mason, say that Mr. Elliott walked into the Carriage House having made no physical contact with Ms. Thompson whatsoever. Ms. Thompson claims that after verbally confronting Mr. Elliott and Ms. Sandbothe, she went back to her car and got into the driver's seat, that Mr. Elliott came over to the car, told her that she needed to leave, she said, no, and he grabbed one of her wrists as she was holding the steering wheel, and dragged her out of the car. She said that Mr. Elliott's father then arrived and everyone went inside and that she called the police.

When asked by the investigators why she did not just leave when Mr. Elliott told her to, Ms. Thompson said because she was the "girlfriend in the situation" and the other girl should have left. Ms. Thompson was asked where Ayrin Mason was standing when Mr. Elliott pulled her out of the car and she said Ms. Mason was right outside the car but she didn't know where Ms. Mason was looking.

Ms. Mason told the League's investigators that she and Ms. Thompson were in the parking lot when Mr. Elliott arrived. She said that a girl was driving his car and that Ms. Thompson walked up to the girl and started calling her a "bitch" and a "ho." Ms. Mason said she had remained in the passenger seat of Ms. Thompson's car and that there was one car between the car she was in and the car Mr. Elliott was in, that she could not see what was going on by his car but she could hear it. She said she then got out of the car and went

¹⁵⁸ See Exhibit 103.

over to the other car, saw that Ms. Thompson was in the other girl's face and pulled Ms. Thompson away. She said that Mr. Elliott and the girl started to walk towards the front door of the apartment and Ms. Thompson tried to block them from going in, that Ms. Thompson and Mr. Elliott had some words that she, Ms. Mason, couldn't hear, that the girl then said to Ms. Thompson, "you're not coming in" and Ms. Thompson was yelling and screaming and said that Mr. Elliott's "career was over." Ms. Mason said that Ms. Thompson called the police after everyone else went inside and that after the police arrived, Ms. Thompson texted her saying, "If they ask he dragged me out of the car." Ms. Mason said that when she spoke to the police she told them the truth, as she had told the investigators.

The text message exchange between Ms. Mason and Ms. Thompson in which Ms. Thompson told Ms. Mason to tell the police if they ask that Mr. Elliott had dragged Ms. Thompson out of the car was provided to the City Attorney's Office, to Mr. Elliott's attorney and to the League's investigators. It shows that at 2:53 a.m. that Friday morning, Ms. Thompson texted Ms. Mason, "If they ask he dragged me out of the car." Ms. Mason responded, "Okay," "Just now?" and Ms. Thompson said, "When we got here," "Like we pulled up and he showed up and then yanked me out if the police ask."¹⁵⁹ This message was not recovered from Ms. Thompson's cell phone by the League's forensic examiners. There exists no record of any text messages between Ayrin Mason and Ms. Thompson prior to the July 22, at 5:18 a.m. Mr. McCain, the League's forensic expert, did recover an earlier deleted message (from May 17, 2016) which shows that there were earlier text messages between them. Given their close relationship, it is highly unlikely that they were not in frequent communication via text message prior to July 22 at 5:18 a.m. Therefore, Ms. Thompson must have deleted all earlier text messages between herself and Ms. Mason.

During the 911 call Ms. Thompson made to the police, she told the operator that she had called earlier about a domestic violence report and that she was going to wait until tomorrow when he was out of state. Ms. Thompson did not finish her sentence as the 911 operator interrupted her to get the address from where she was calling and then asked her who the person was she was calling about. Ms. Thompson said, my boyfriend and that "he's been doing it for the past 5 days." She told the 911 operator that he had hit her and when asked where, Ms. Thompson responded, "All over." The operator asked her if she needed a medic and Ms. Thompson responded, "I don't. I probably need to go to urgent care or something and get an x-ray for my wrist." The 911 operator ended the call saying she would get an officer there as soon as she can.¹⁶⁰

The police responded to Ms. Thompson's 911 call at 2:40 a.m. When they arrived, they interviewed Ms. Thompson who told them a different version of what had just happened in the parking lot than what she had the League's investigators. In her written statement for the police, Ms. Thompson said, "[a]s soon as he

¹⁵⁹ See Exhibit 61, Text message exchanges between Tiffany Thompson and Ayrin Mason 7/22/16.

¹⁶⁰ See Exhibit 62, Transcript of the 911 call placed by Tiffany Thompson on 7/22/16.

pulled up tonight he yanked my right arm and dragged me out of the car.” She said this left her “right hand/wrist bruised and red.” She said that Mr. Elliott kept calling her a bitch and that he was cursing at her and telling her to leave after having told her to spend his birthday and stay the night with him. She also told the police about having been assaulted by Mr. Elliott on three other occasions earlier that week and gave them brief statements about each which they later wrote in their police report. Her statements about these incidents as recorded in the police report have been noted at the appropriate places in this investigative report above. She also told them that she and Mr. Elliott had lived together for 3 months and that he was presently paying for her apartment and her car.

The police also interviewed Mr. Elliott who said he had never laid a hand on Ms. Thompson and any bruises on her body were from a “bar fight” she had gotten into at a club called Social. He denied ever having lived with Ms. Thompson. He said they had never even dated, writing the word “never” in capital letters in his written statement. He did admit that he had had a sexual relationship with her and that he was paying for her apartment and car. Regarding that night’s incident in the parking lot, Mr. Elliott said that Ms. Thompson was waiting in the parking lot when he and Ms. Sandbothe arrived, that Ms. Thompson “aggressively” approached their vehicle and tried to fight Ms. Sandbothe, that as he entered his apartment, Ms. Thompson yelled at him, “I am going to ruin your career. You have messed with the wrong person.”¹⁶¹

The police also interviewed Aylin Mason who told them the same thing she told the League’s investigators about what happened in the parking lot. She also told them that the door Ms. Thompson stumbled on was the door to the Mr. Elliott’s residence.¹⁶² In the affidavit that Mr. Elliott’s attorney prepared for her and submitted to the Columbus City Attorney’s Office, Ms. Mason stated that after Ms. Thompson had approached Mr. Elliott’s car screaming at the female driver, Mr. Elliott and the car’s driver and passengers all walked towards the Carriage House and at no time did she, Ms. Mason, see Mr. Elliott and Ms. Thompson come into any contact. She also said that as Mr. Elliott entered the Carriage House, Ms. Thompson yelled that she was going to “ruin his career” and call the police.¹⁶³

The police interviewed Mr. Elliott’s friends Bijan Moazampour,¹⁶⁴ Dylan Minney¹⁶⁵ and Taylor Sandbothe.¹⁶⁶ Mr. Moazampour told the police that he had just pulled into the parking lot when he saw Ms. Thompson walk over to Mr. Elliott’s car and start a fight with Ms. Sandbothe and as Mr. Thompson was doing that, Mr. Elliott got out of the car and walked into the apartment.. Mr. Moazampour said that Ms. Thompson

¹⁶¹ See Exhibits 12 & 63, Ezekiel Elliott’s written statement to the Columbus Police Department dated 7/22/16.

¹⁶² See Exhibits 12 & 56.

¹⁶³ See Exhibit 50.

¹⁶⁴ See Exhibits 12 & 64, Bijan Moazampour’s written statement to the Columbus Police Department dated 7/22/16.

¹⁶⁵ See Exhibits 12 & 65, Dylan Minney’s written statement to the Columbus Police Department dated 7/22/16.

¹⁶⁶ See Exhibits 12 & 66, Taylor Sandbothe’s written statement to the Columbus Police Department dated 7/22/16.

kept “trying to provoke” Ms. Sandbothe and the others in the parking lot and that they all went inside to “avoid the situation.”¹⁶⁷ Mr. Minney told the police that when he arrived in the lot, he parked between Ms. Thompson and Mr. Elliott’s cars and that Ms. Thompson was visibly angry as she approached Mr. Elliott’s car. Mr. Minney said that Ms. Thompson started to verbally threaten the driver of Mr. Elliott’s car and Mr. Elliott and that she said to Mr. Elliott, “I’m calling the cops to ruin your career, your career is done.” Mr. Minney said he purposely stood between Ms. Thompson and Mr. Elliott as Mr. Elliott walked inside so that they could have no contact. He said after Mr. Elliott walked inside, he and a few others blocked the door so Ms. Thompson could not enter.¹⁶⁸ Ms. Sandbothe told the police that as soon as she and Mr. Elliott pulled into the parking lot, Ms. Thompson came over to their car and “initiated a confrontation.” She said that Ms. Thompson was yelling and arguing and trying to “insert herself into the convertible.” Ms. Sandbothe said that Ms. Thompson was calling her a “hoe or something” as they were rolling up the windows and making their way inside. She said that Mr. Elliott walked inside with her “as soon as we arrived.”¹⁶⁹

In addition to interviewing witnesses at the scene, the police also took photographs of Ms. Thompson as she stood in the parking lot of the Carriage House. These photographs, Exhibits 7A-H, were reviewed by Drs. Thanning and Giordano. 7A is a photograph of Ms. Thompson standing in the parking lot. Both doctors noted a bruise on the right arm and a smaller one on the left arm that were almost symmetrical and were consistent with her having been grabbed, held or shook by both arms. These bruises appeared older to both doctors and could have been as much as a week old, they stated. Dr. Thanning also noted that the swelling over Ms. Thompson’s right eye that had been so striking in the photo she took of herself in her car on July 18, Exhibit 6C, had gone down a little but was still apparent. Both doctors said they could not see any injury on Ms. Thompson’s neck in this photo and given that they could see it so prominently in the photo taken in at the City Attorney’s Office later that day, they theorized that it was obscured in this photograph by Ms. Thompson’s choker as well as make up that she told the League’s investigators she had put on to cover up this injury before going out to the party.

Exhibit 7B is a photograph of the front of both of Ms. Thompson’s hands. Dr. Giordano noted the same injuries she had seen in Exhibit 6B, the photograph Ms. Thompson had taken of the same hand as she sat in her car on the afternoon of July 21, the three small abrasions on the 3rd, 4th and 5th knuckles and the contusion on the 5th (pinky) knuckle. She said that these injuries do not appear a dramatic in this photograph which she attributed to both the poor lighting conditions under which the Exhibit 7 series of photographs was taken in and also the fact that this photograph was taken approximately 12 hours after the one in the car. She said you can also see a little of the redness on the side of the wrist that appeared much more prominently in

¹⁶⁷ See Exhibits 12 & 64.

¹⁶⁸ See Exhibits 12 & 65.

¹⁶⁹ See Exhibits 12 & 66.

the earlier (6B) photo. Dr. Thanning stated that this photograph depicted symmetrical healing bruises on the outer (extensor) side of the lower forearms. She said they were consistent with grab marks sustained on either July 17 or 18. She also noted more recent early healing bruises, mostly right, lesser left, outer (ulnar) wrist consistent with grab marks, plus mostly right, lesser left, 5th knuckle bruises and partially abraded pin point puncture wounds/contusions at the very crests/tips of the #2, 3, 4, and 5th knuckles. These injuries are consistent with punch marks or a hand hitting a hard object.

With regard to Exhibit 7C, a photograph of the outside sides of both Ms. Thompson's hands, Dr. Giordano stated that this photograph depicts the same injuries seen in 7B, but one can see the bruising and swelling on the pinky knuckle more clearly in this photograph. Dr. Thanning stated that this photograph portrayed the outer lateral ulnar view of injuries described with regard to 7B.

Dr. Giordano said she did not see any apparent injuries in Exhibit 7D. Dr. Thanning noted barely visible aspect of the wrist grab marks described with regard to 7B.

In Exhibit 7E, a close-up of both hands, palms up, Dr. Giordano said that on the left wrist, pinky side, the brownish area could be consistent with a contusion. She again remarked on the poor quality of this of photos due in large part to the lighting conditions and stated that this brownish area appears to be the injury that was apparent in Exhibit 6A, the photograph Ms. Thompson took in her car of her left hand. Dr. Thanning said this close-up of the palms shows grab marks on the outer and inner wrists (ulnar and radial aspects), most pronounced on the left in this view.

Exhibit 7F is a photograph of the front of Ms. Thompson's right armpit, the same area of her body she photographed in the bathroom of Mr. Elliott's apartment, three and a half days earlier, on July 18, at 3:33:44 p.m., Exhibit 3C. Dr. Giordano stated that you can see some of the same injuries that were visible in 3C in photograph 7F. She said the two small linear abrasions that appeared as red recent injuries in 3C now appear as having healed consistent with the passage of 3 days. The small abrasions previously seen over her clavicle are not seen here, possibly due to positioning or coverage of her bra strap. She said that the larger bruise on Ms. Thompson's upper arm is clearly healing. She said in 7F you can see that this bruise is more diffuse, has softer edges, is fading purple in color and somewhat brownish, all of which Dr. Giordano said leads her to the conclusion that this injury is consistent with being a few days old. Dr. Thanning said that the bruise in the area of the right armpit to the upper arm in the front/biceps area is healing as evidenced by the fact it is organizing and is yellow and green in color. Dr. Thanning stated that this bruise is too large in her opinion to be a thumb grab mark. She stated that this injury is not typical for an accidental, self-inflicted bruise either in a somewhat protected, anatomical location in a resting pose. She said, however, this could be a punch mark incurred during an altercation with raised and/or outstretched arm. She said that this bruise appears to be several days old and would be consistent with it having been sustained on July 17 or 18. Dr. Thanning also noted multiple recent,

crusted linear abrasions on the top of the shoulder which appeared to be 1-2 days old and therefore consistent with having been sustained on July 21 and possibly July 19.

Exhibits 7G and 7H are photographs of Ms. Thompson's forearms held up bent at the elbows. Dr. Giordano pointed out the visible bruises at both wrists and mid-forearms which she noted were symmetrical at both locations. She said there were therefore consistent with having been grabbed at those places. In terms of age, she said it was hard to tell from these photos because of their poor quality (especially 7G which is out of focus) but she would say that the bruises near the elbows on each arm appeared older, not sustained in the last day or two. She said that the bruise on the right forearm has central clearing and is brown around the edges which leads her to conclude it is several days old. She said that the bruises on the wrists and left forearm appear fresher because they are red-purple in color. Also seen again in Exhibit 7H is the large bruise on the right upper outer arm. She thought that all the bruises in this photo are consistent with having been sustained within a week, although those near the elbows could be older. With regard to Ms. Thompson's neck area as portrayed in these two photographs, Dr. Giordano stated that much of the neck area is obscured by the choker Ms. Thompson is wearing and in 7H by her own hand and that she, Dr. Giordano, cannot discern any injury in the neck area in this photo. Dr. Thanning stated that these photographs show recent, symmetrical wrist contusions/grab marks that she described more fully with respect to 7B. She also noted bilateral upper outer and inner healing bruises photographed in a defensive type stance. She stated that the one on the left a trapezoid (quadrilateral) configuration reminiscent of a patterned injury from an object. She said that in 7H, the inner (flexor) forearm bruises appeared older than the wrist bruises and were consistent with having been sustained on July 17 or 18.

The police wrote in their report that "[d]ue to conflicting variations of what happened and whether or not Ms. Thompson and Mr. Elliott ever lived together, no charges were filed against Mr. Elliott. Ms. Thompson was referred to the Prosecutor's Office to discuss filing charges against Mr. Elliott."¹⁷⁰

The police did not interview Alvarez Jackson that night and as was stated above, Mr. Jackson did not make himself available to the League's investigators for an interview. He did however sign two affidavits for Mr. Elliott's attorney. The first was dated August 2, 2016 and dealt with the events of July 21-22, 2016;¹⁷¹ the second, dated August 16, 2016, covered the days earlier that week, the 16-21.¹⁷² In his affidavit dated August 2, 2016, Mr. Jackson said that after Mr. Elliott arrived in the parking lot of the Carriage House with Ms. Sandbothe driving, Ms. Thompson ran up to the driver's side window and started yelling at Ms. Sandbothe. He said she was also yelling at Mr. Elliott to get out of the car. He said that Mr. Elliott and Ms. Sandbothe and the other

¹⁷⁰ See Exhibit 12.

¹⁷¹ See Exhibit 53.

¹⁷² See Exhibit 42.

passengers in the car all got out and began walking towards the door of the Carriage House and that at no time while they were doing so, did Mr. Elliott make any contact with Ms. Thompson; he said they never came within 5-7 feet of each other. She said that as Mr. Elliott was walking towards the Carriage House, Ms. Thompson was screaming at him that “she was going to ruin his career.”¹⁷³

The police also did not interview Mr. Elliott’s father that night, nor did the City Attorney’s Office and, like Mr. Jackson, Mr. Elliott’s father, Stacy Elliot, also did not make himself available for an interview with the League. He did, however, like Mr. Jackson, meet with his son’s attorney and sign an affidavit about the night’s events.¹⁷⁴ He said that while he was on his way to the Carriage House after the party at the Social Room, he got a call from his son saying that Ms. Thompson was outside “causing problems.” Stacy Elliot said when he arrived at the Carriage House, he saw Ms. Thompson outside by her car and he waited outside until the police arrived. His affidavit did not provide any more details about what happened in the Carriage House’s parking lot that night.¹⁷⁵

The League’s investigators confronted Ms. Thompson with all the statements the other witnesses to the incident in the parking lot had made and she insisted that they were not true and that her version of events as given to the League’s investigators was what really happened. She was also confronted with the statements made by people who said they had been with Ms. Thompson at various times during the week and that they did not see any visible injury. She said that were not telling the truth, that she clearly had visible injury as it appears in photographs taken that week and she had tried to cover them with make-up but could not entirely do so. Ms. Thompson was confronted with what her friend Ayrin Mason said about what had happened in the parking lot and still insisted her version was correct. She also said that in her text message to Ms. Mason telling her to tell the police that Ms. Thompson had been dragged out of her car that night by Mr. Elliott that she was not asking Ms. Mason to lie; that that was the truth.¹⁷⁶

Mr. Elliott’s attorney provided a text message exchange between Ms. Thompson and Ms. Mason on July 27, 2016 to the City Attorney’s Office that he said evidenced Ms. Thompson again asking Ms. Mason to lie for her about the July 22 parking lot incident. The League’s investigators obtained this exchange from the City Attorney’s Office and from Mr. Elliott’s attorney. In addition, the forensic examination of Ms. Thompson’s cell phone also recovered this text message exchange which, in actuality, went on longer than the versions supplied by Mr. Elliott’s attorney to the City Attorney or to the League by Mr. Elliott’s lawyers. This text message exchanged began on July 27 at 8:57:29 p.m. with Ms. Mason saying to Ms. Thompson, “Do you want me to lie about what happened that night be zekes lawyer is about to call me again.” Ms. Mason told the League’s

¹⁷³ See Exhibit 53.

¹⁷⁴ See Exhibit 67, Affidavit of Stacy Elliott dated 8/3/16.

¹⁷⁵ See Exhibit 67.

¹⁷⁶ See Exhibit 99, relevant portions of the transcript of Ms. Thompson’s interview.

investigator's that she had been put up to sending this text by Mr. Elliott who told her that his lawyers needed an explicit request to lie from Ms. Thompson. Ms. Mason told the investigators that she "was trying to help Ezekiel" when she did this. Not hearing back from Ms. Thompson, Ms. Mason's texted again at 9:19:54, "I hurry text me back" to which Ms. Thompson replied, "Huh" at 9:25:17 and at 9:25:44, "Call me." Ms. Mason then texted back, at 9:25:46, "What him pulling you out of the car by your wrist." Ms. Thompson texted back, at 9:25:56, "Call me." At 9:26:01, Ms. Mason responded, "I'm on the phone now" and at 9:26:06, "So hurry." At 9:26:20, Ms. Thompson responded, "Ayrin" and at 9:26:23, "Yea" and Ms. Mason saying, "Okay" at 9:26:37. That is the point at which the version Mr. Elliott's attorney furnished to the City Attorney and to the League ends. As discovered when these text messages were recovered from Ms. Thompson's phone, the exchange continued with Ms. Thompson saying at 11:39:31, "Call me" and at 11:42:23 saying, "Don't lie if you didn't see anything happen then don't say you did" and at 11:58:50, "You need to call me asap." Ms. Mason then responded at 10:34:08, "I didn't lie" and at 10:34:19, "He didn't even ask me again what happened."¹⁷⁷

Ms. Thompson was asked about the above text message exchange by the League's investigators and explained that her answer, "Yea" to Ms. Mason was in response to Ms. Mason saying, "Call me," that Ms. Thompson was saying, "Like what do you need?" However, in this text message exchange, it was Ms. Thompson saying, "Call me" to Ms. Mason, not the other way around. Ms. Thompson also had no explanation for why it took her over two hours to text Ms. Mason back and say that she should not lie.

Later in the Day of Friday, July 22

After the police left the Carriage House parking lot early that morning, Ms. Thompson told investigators that her grandmother came and picked her up and dropped her at her friend Ayrin Mason's home. Ms. Mason told the Intake Officer at the City Attorney's Office that when Ms. Thompson got to her house, she, Ms. Mason, saw bruises on her body and that those were not "new" that they were the same bruises "from before" referring to the same bruises she had seen on Ms. Thompson at her house before they went to the party. Ms. Mason told the Intake Officer that Ms. Thompson did not have those bruises when she saw her the week previous. She said that she thinks she saw Ms. Thompson on the Tuesday before, which would have been July 12.¹⁷⁸

While at Ms. Mason's, Ms. Thompson and Ms. Mason took a photograph of the back of Ms. Thompson's arms. Exhibit 8D. Ms. Thompson provided this photograph to the City Attorney's Office along with five other photographs she took that week at various times. Exhibits 8A-C and 8E-F. Ms. Thompson told the League's investigators that, with the exception of 8F, she does not know exactly when she took those particular photographs, other than to say they were all taken the week of July 17-22. She said she took 8F on

¹⁷⁷ See Exhibit 68, Text message exchanges between Tiffany Thompson and Ayrin Mason on 7/27/16.

¹⁷⁸ See Exhibit 57.

"Saturday night" (really the early morning hours of Sunday July 18) after Ms. Elliott fell asleep. The League's investigators first obtained these photographs from the City Attorney's Office. Thereafter they were located as thumbnails during the forensic examination of Ms. Thompson's cell phone. No meta data was recovered from these photographs, so the exact time and place they were taken cannot be independently established in this manner. However, corroboration for at least the time period during which these were taken can be established in two other ways. One, these photographs were provided to the City Attorney's Office later the day of July 22 when Ms. Thompson went there with her father, so they were clearly taken before the afternoon of July 22. Two, 5 of the 6 photographs in this series, were posted by Ms. Thompson on Instagram the morning of July 22 at approximately 5:40 a.m., indicating they must have been taken before then¹⁷⁹. We can further pin down when 8D was taken as we know from text messages between Ms. Thompson and Ms. Mason sent between 4:47 and 5:18 a.m. that Ms. Thompson was not yet at Ms. Mason's home.¹⁸⁰ Therefore, photograph 8D must have been taken on the morning of July 22 between 5:18 and 5:40 a.m.

Mr. Elliott's phone records reflect that he received calls from a blocked number at 5:29, 6:15 and 6:16 a.m. that morning on his 214#, the first two lasting for "1" and the last for "2" and 13 calls between 4:38-6:29 a.m. on his 614# and one final blocked call on his 614# at 2:48 p.m. All but three, the 5:36, 6:14 and 6:29 calls registering "1," these other three registering "2." There was one final call on Mr. Elliott's 614# from a blocked number at 2:48 p.m. on July 22, 2016 that registered "1."¹⁸¹

Exhibit 8A shows Ms. Thompson's right hand with visible bruising on the outside of the wrist and on the knuckle of the pinky finger. In addition, small abrasions can be seen on the knuckles of the middle, ring and pinky fingers. Ms. Thompson told the League's investigators that these injuries occurred during the Wednesday night (which was really the early morning hours, Thursday July 21) incident. These injuries were clearly visible in the photograph Ms. Thompson took of the same hand while in her car on Thursday, July 21 at 2:18:56 p.m., Exhibit 6B, and in the photographs taken by the Columbus Police Department on July 22 at approximately 3:00 a.m., Exhibits 7A-II. Dr. Thanning said that the appearance of these injuries in photo 8A is consistent with them having happened on either July 19 or 21. She stated these are recent injuries that are consistent with having been sustained in the last 24 hours. Dr. Giordano concurs. She said that the injuries as depicted in this photo look "fresh" both because of their color and the fact they have no fuzzy edges and that the appearance of these injuries in this photograph is consistent with them having been sustained as a result of being thrown against a wall and the hand and wrist striking the wall.

¹⁷⁹ See Exhibit 69, Tiffany Thompson's Instagram posting 7/22/16.

¹⁸⁰ See Exhibit 61.

¹⁸¹ See Exhibit 103.

Exhibit 8B shows Ms. Thompson's left upper arm. Dr. Thanning said she sees five small round marks, two above the other three below. Dr. Thanning said that these appear to be "characteristic grab marks," that their shape and size are consistent with having been made by fingertip pressure. She said that the one that appears a little larger than the others is consistent with a thumb and that the appearance of all five bruises together is consistent with someone having wrapped their hand around Ms. Thompson's arm and pressed in with all five fingers. Dr. Thanning said that these injuries are older than those depicted in 8A and that they appeared to be a few days old. When Ms. Thompson was shown this photograph and asked when she believes she got the injuries seen in it, she said that the visible bruising on the back of her arm could have come from any of the incidents that week. Dr. Giordano said she could clearly see four small contusions in this photograph, the two on the outer arm being more prominent than the other two. She also termed them "grab marks" and said they would appear consistent with the arm having been grabbed from behind. Dr. Giordano stated that based on these bruises color, no yellow-green, and shape, no diffusing edges, she would say these bruises were most likely sustained within the last few days. She said that they did not appear consistent with having been sustained in the last 24 hours.

Exhibit 8C shows Ms. Thompson's neck and the bitemark that appears on the left side of her neck that appeared in the July 18 series of photographs taken in the bathroom of Mr. Elliott's apartment on Canvasback Lane. Exhibits 3A-F. Dr. Thanning said that the appearance of the bitemark in this photograph is consistent with it being a few days old. Dr. Giordano agreed and said that the deep red-purple color indicates that it is fairly recent. She also said you could clearly see the circular pattern of small brown dots from the healing bite underneath and teeth marks and opposing arches in the more recent bite above. Dr. Giordano noted that Ms. Thompson's skin tone as it appeared in this photograph was more realistic than it had appeared in Exhibit 3C which also makes the color of the upper bitemark more realistic. Ms. Thompson, when shown this photograph stated that it showed bruising on the right side of her neck and she stated that this was from Wednesday night (again, really Thursday early a.m. hours). Neither doctor discerned bruising on the right side of Ms. Thompson's neck in this photograph, however, both said it was clearly visible in 8F.

Exhibit 8F is a photograph of Ms. Thompson's neck that Ms. Thompson told the League's investigators she took after Ms. Elliott fell asleep following the Saturday night (really Sunday morning) assault. Dr. Giordano identified a large dark band going around Ms. Thompson's neck and stated that from this photograph it was hard to tell if that was an injury or shading in the photograph. However, after viewing Exhibit 9E, a photograph taken of Ms. Thompson at the City Attorney's Office the afternoon of July 22, in which the same dark band is visible around Ms. Thompson's neck, Dr. Giordano stated the dark area around Ms. Thompson's neck in 8F would appear to represent the same finding which Dr. Giordano described as a possible wide band of purplish-brown bruising on the front of the neck. She stated that to her, it appeared as if it might have been made by a wide band of some sort having been drawn tight around Ms. Thompson's neck but she

said the investigators should rely on Dr. Thanning's conclusions regarding the mechanism of injury here as a pathologist would be in a better position to make this determination. Dr. Thanning told the investigators that in photo 8F, she observed at the root of the lateral neck on both sides a nearly symmetrical injury. She said no pattern was observable in this injury and that the most likely mechanism of injury was two hands, not fingers, wrapped around Ms. Thompson's neck squeezing in. She said that this injury would be consistent with Ms. Thompson having been lifted up by the neck by two large hands. She said that from its appearance in this photograph, this injury was likely to have been sustained within the last 2-3 days and could be as recent as a few hours. She contrasted its appearance in this photo to how it appeared in Exhibit 9E, the photograph taken at the City Attorney's Office on the afternoon of July 22. She noted that in 9E, the neck injury looked less symmetrical but stated that that could be due to the lighting which was causing shading on the lower portion of her face and under her chin and the make-up she was wearing. She said from its appearance in this photo, she would say that the neck injury had been sustained several days before.

Exhibit 8D shows the back of both Ms. Thompson's arms. This is the photograph that was taken at Ayrin Mason's home at approximately 5:30 in the morning of July 22. Dr. Thanning said that the "characteristic grab marks" that we saw in Photo 8B can be seen on the upper right arm in this photograph as well and that these appear to be of the same age. She also noted that they were almost symmetrical on both arms, as if she was grabbed at those locations at the same time by two hands. She said that on the left arm, a large circular contusion can be seen a few inches above the wrist and another contusion can be seen on the outer aspect of the left wrist. These injuries were visible in the photograph Ms. Thompson took in her car on July 21 at 2:18:42 p.m., Exhibit 6A, and Dr. Thanning says that their appearance in 8D is consistent with them being another day older at the time 8D was taken. Finally, with respect to photo 8D, Dr. Thanning noted what she termed an older bruise on the inside of the left wrist that appeared greenish in color. She stated that this could be two weeks old based on its appearance in this photograph. Dr. Giordano concurred with Dr. Thanning's observations.

Exhibit 8E shows the inside of Ms. Thompson's right knee. Ms. Thompson told investigators that she got this injury "Wednesday night" (again, this was really Thursday morning) and that she got it because she kept falling down during the assault. This is also the assault during which Ms. Thompson told the League's investigators, the Columbus Police Department and the City Attorney's Office that she had been dragged across the bedroom carpet. Dr. Thanning said that one can see four visible injuries on Ms. Thompson's knee and that these injuries are both contusions and abrasions. She said that the one on the far left of the photo has visible linear marks. She said that these injuries are clearly not fingernail scratch marks and appeared to her to have been caused by something different than the two injuries immediately to the right of this. With regard to those two visible injuries, Dr. Thanning said these two injuries look like chemical or thermal burns and they are the kind of injuries one might get if dragged across a rug. She said their appearance is consistent with Ms.

Thompson having been on her left side as she was being dragged across a carpet, such that the inside of her right knee would have suffered injury. Dr. Thanning also noted a fourth injury located above the knee that was circular in appearance and appeared to her to be fading out. This area of Ms. Thompson's body was not portrayed in any of the other photographs recovered by the League's investigators. Dr. Thanning stated that these injuries appear consistent with having been obtained during the week of July 16-22. Dr. Giordano agreed with Dr. Thanning's conclusion that the injuries portrayed in 8E are consistent with a rug burn or other injury produced by frictional force against a rough surface. Dr. Giordano identified four injuries in this photograph all apparent contusion/abrasions. On the far left, a semi-circular contusion/abrasion through which one can see which there is a visible linear pattern going left to right from the top to the bottom, two contiguous contusions with abrasions just to the inside of the knee and another contusion above those. Dr. Giordano stated that these injuries were far more consistent with having been dragged on a carpet than having just fallen down.

Ms. Thompson's Instagram posting that morning consisted of 8 photographs of her injuries, five were from the series 8A-F, two were from the series of photographs she took in her car on the afternoon of July 21, 6A-C, and the last one is from the series of photographs she took at Mr. Elliott's apartment on the afternoon of July 18, 3A-F. Along with the photographs, Ms. Thompson posted the following statement:

Just for every women [sic] out there getting abused it's time to put a stop to it. This has been happening to me for months and it finally got out of control to where I was picked up and thrown across the room by my arms. Thrown into walls. Being choked to where I have to gasp for breath. Bruised everywhere, mentally, and physically abused. It's not okay. So I want each and everyone one of you girls to step away now from domestic violence. You're worth so much more. I got told it was called "tough love" I'm sorry if you love someone you don't touch your loved ones.¹⁸²

Ms. Thompson told the League's investigators that her father picked her up at Aylin Mason's on the morning of July 22 and took her back to her apartment in Dublin and that later that afternoon, he took her to the City Attorney's Office. Another group of photos was taken there that afternoon, Exhibits 9A-E. Four of these photos, Exhibits 9A-D, depict Ms. Thompson's right hip area and show a large horizontal bruise. Ms. Thompson told investigators that this injury occurred when her hip hit the side of Mr. Elliott's bed as he was pulling her by the arm. Dr. Giordano described this injury as a large purplish-pink bruise laying over the right hip bone extending towards the abdomen. She said it appeared pretty recent. She said it was consistent with something hard having been pushed down on that area of the body or from Ms. Thompson striking something

¹⁸² A woman named Samantha Deakin posted a reply to Ms. Thompson's Instagram posting. Ms. Deakin told Ms. Thompson, "I know you are getting a lot of shit about those pictures. But I know personally of a story of him putting his hands on a girl in a bar up there from a friend, and he beat the shit of my friend too (this friend was a guy) but people are going to talk shit regardless. Proud of you for not hiding it and hopefully that POS gets what he deserves." Efforts by the League to interview Ms. Deakin proved unsuccessful.

hard in the same manner and that these hard surfaces would have had to be wide to have caused the injury observed. She said that given its location above the hip bone, in a “protected area,” it does not appear consistent with an injury incurred from having fallen down. Dr. Thanning said that the appearance of this contusion in this series of photographs is consistent with Ms. Thompson’s side having hit a hard horizontal surface such as the side of a bed in the early morning hours of July 21.

The fifth and last photo in this series, 9E, shows Ms. Thompson holding a sign that has information written in a red marker on it regarding her case, to wit, the Intake Number, her name, Mr. Elliott’s name, the initials of the Intake Officer, the date of intake and the type of case, “DV/AST.” This photograph shows the tips of Ms. Thompson’s fingers holding the sign just below her clavicle and her neck and head from the clavicle up. Her right eye appears bruised in this photo and there appears to be a linear bruise extending around the right side of her throat at the bottom of the neck going towards the center of her neck. Both doctors observations and conclusions about this photo have been earlier stated. See, page 65.

In addition to taking photographs, the Intake Officer also filled out a body diagram.¹⁸³ On this diagram, the Intake Officer indicated that there were injuries on Ms. Thompson’s knees, hands, lower arms, right shoulder and across her neck.

The Intake Officer also interviewed both Ms. Thompson and Ms. Mason and what they told him about the events covered in this report has been noted in the appropriate chronological places. At the end of Ms. Thompson’s interview, she was asked what she hoped would come out of this interview and she told the Intake Officer, “Criminal charges would be pressed and a protection order.”¹⁸⁴ When she was interviewed by the League’s investigators, approximately a month after the City Attorney’s Office had informed her that it was not going to bring criminal charges against Mr. Elliott, Ms. Thompson stated that she did not want to see Mr. Elliott get suspended; she “just wants him to be put through counseling so it doesn’t happen to the next girl.”

Regarding why Ms. Thompson called the police from the Carriage House parking lot earlier that morning, Ms. Mason told the Intake Officer that Ms. Thompson had been planning on filing a report on Friday but she, Ms. Mason, thinks that what happened in the parking lot pushed her to do it sooner but that she was calling the police because of what had happened before. At the end of Ms. Mason’s interview with the City Attorney’s Office, the Intake Officer asked her if she was willing to testify. She told him, no, because she is friends with both Ms. Thompson and Mr. Elliott so she “would like to not be involved the best I can.”¹⁸⁵

Over the next several weeks, the City Attorney’s Office engaged in an investigation. Robert Tobias, the Director of the Prosecution Resources Unit at that office led the investigation. He met with Ms. Thompson

¹⁸³ See Exhibit 21.

¹⁸⁴ See Exhibit 41.

¹⁸⁵ See Exhibit 57.

at least 2 or 3 times he told the League's investigators. The dates of the assaults she reported to him matched the dates of the assaults she reported to the League's investigators. He said he first met Ms. Thompson on July 22 and observed the bruises on her body and stated that the bruising he saw "was consistent with what she said had happened. He said that Ms. Thompson did not seem vindictive when he interviewed her; that she said she just wanted to see Mr. Elliott get counseling. In a text message exchange with Bri'onte Dunn on August 2, Ms. Thompson stated the same thing. Mr. Dunn asked her what she was going to do going forward and she responded, "Idk I'm trying to keep it from where he doesn't get suspended from any games or anything so who knows what is going to happen going forward its up to him and his lawyers associating with mine and the prosecutor." Mr. Dunn then asked Ms. Thompson if she had pressed charges and she replied, "Yeah but nothing criminal is going to happen to him. I made it very clear with them that all I ask for out of it is counseling."¹⁸⁶

Mr. Tobias said he also spoke to Ayrin Mason who was very reluctant to be involved but did say that she had seen bruises on Ms. Thompson on that Thursday (July 21) and that Ms. Thompson had told her that Mr. Elliott had "done it." Mr. Tobias also met with Alvarez Jackson who denied to him that any of the alleged incidents had occurred and said he did not see or hear anything that week. And, finally, Mr. Tobias said he met with one of the police officers who saw Ms. Thompson's altercation outside of The Social Room with the other woman. Mr. Tobias said that this officer described the altercation "pretty differently" from the way Ms. Mason and Ms. Thompson had described it to him. He said that they had described it as "very short-lived, maybe one smack, one hair pulling. The officer described it as "flying, punching, and falling to the ground".

Mr. Tobias said that he did not have an opportunity to speak to Mr. Elliott during his investigation as Mr. Elliott's attorney wanted Mr. Tobias to provide the questions in advance and Mr. Tobias said he was not going to do that. He said they ended up concluding that all Mr. Elliott would have done anyway was to deny everything, so they decided that there was no need to interview him before making their decision on whether to charge. Mr. Tobias did receive two letters from Mr. Elliott's attorney Frank Salzano, accompanied by various witness affidavits, photographs and other documents. These letters were dated August 4, 2016¹⁸⁷ and August 16, 2016.¹⁸⁸ All materials submitted to the City Attorney's Office have been reviewed by the League's investigators and are included in this report.

Mr. Tobias told the League's investigators that ultimately the decision was made not to bring charges against Mr. Elliott, not because they ever concluded that Ms. Thompson was lying to them, but because there

¹⁸⁶ See Exhibit 80, Text message exchange between Bri'onte Dunn and Tiffany Thompson 8/2/16.

¹⁸⁷ See Exhibit 85, Correspondence from Ezekiel Elliott's attorney Frank Salzano to Robert Tobias, Columbus City Attorney's Office, dated August 4, 2016.

¹⁸⁸ See Exhibit 85, Correspondence from Ezekiel Elliott's attorney Frank Salzano to Robert Tobias, Columbus City Attorney's Office, dated August 16, 2016.

was insufficient corroborating evidence. He said that “[w]e generally believed her for all of the incidents.” He said that they could not determine exactly when and how she got the bruises on her body and so they felt they couldn’t charge Mr. Elliott. At the time Mr. Tobias’ office made this decision, it did not have any of the meta data from the photographs that the League’s forensic investigators have extracted, nor did they consult any medical experts to give them an expert opinion about the injuries alleged by Ms. Thompson, described by other witnesses and captured in numerous photographs taken the week of July 16-22, 2016.

After the City Attorney’s Office told Ms. Thompson that it was not going to go forward, Ms. Thompson had a text exchange with her friend Bren stating, “Of course it’s affecting me (referring to all the people on social media talking about the prosecutor’s office not going forward), he got away with it. Just hoping the NFL does something now.”¹⁸⁹ One final set of photographs was taken on July 22, 2016 that depict injuries on Ms. Thompson’s body. These photographs, Exhibits 10A-D, were recovered from Ms. Thompson’s cell phone. Forensic analysis of these images show that they were taken at 6:24 p.m. on July 22, 2016 at Ms. Thompson’s parents’ home. Ms. Thompson told the League’s investigators that her sister Taylor took these photos. The first photograph in this series, 10A, was taken at 6:24:51 p.m. and shows a side view of Ms. Thompson’s upper right thigh and hip area. Dr. Thanning said that two contusions are clearly visible and they would have been caused by some type of blunt force trauma to those areas of the body. She said that they are still reddish-purple but have started to diffuse around the edges indicating they are not brand new bruises and that from their appearance in this photograph they are consistent with having occurred during that week. Dr. Giordano also noted two bruises in this photograph and stated that from their color, they could have been sustained at the same time and that both appeared to be a little older, perhaps a few days old.

Exhibit 10B, the second photograph in this series, was taken at 6:25:10 p.m. and shows a side view of Ms. Thompson’s left upper thigh and hip area. Dr. Thanning said that a contusion is clearly visible in the middle of her thigh, that it was caused by some type of blunt force trauma and that from the appearance of this contusion in the photograph, it was not a new bruise but one that is consistent with having happened earlier that week. She also noted three other contusions in this photograph and stated the same about three. Dr. Giordano noted the same large more prominent bruise in this photograph and also stated that it appeared to be of the same age as those observed in 10A. She stated that in addition to this bruise, there might be other small round bruises on the buttocks. Both doctors noted the symmetry of the bruises depicted in 10A and 10B which suggested to them that they may have been caused at the same time.

Exhibit 10C, the third photo taken by Ms. Thompson’s sister on the evening of July 22, shows Ms. Thompson’s left hip bone. Dr. Thanning said that a large horizontal contusion appears just above the hip bone and that this injury, like the ones in the other photos in this series, is not new, but is beginning to resolve and

¹⁸⁹ See Exhibit 82, Text message exchange between Bren and Tiffany Thompson 9/6/16 at 10:17 p.m.

is consistent with having occurred earlier in the week. She noted that this bruise follows the outline of the pelvic bone crest and that the area of hemorrhagic bruising is in the groove just above the bony protuberance of the pelvic bone. She said this is not an area that would be injured in a fall as this area is "sheltered" by the hip bone. She was asked if this bruise could be consistent with vigorous sex and she said no, for the same reason; this bruise, and the similar one in 10D on the other side of Ms. Thompson's body, is in a sheltered area. She said that vigorous sex might have caused bruising on the hip bones, but would not have caused the injury that appears in 10C. She said that this injury especially when viewed in conjunction with the similar injury over the hip bone of the other hip as seen in 10D, is consistent with grab marks of large hands or lifting up by large hands. She also noted three other smaller round bruises on 10D, one to the right of the large bruise over the hip bone, one to the left of it and one lower in the photo on the upper thigh. She said all of these bruises could have been caused by a large thumb. Dr. Giordano concurred with Dr. Thanning's conclusions in all respects and posited another scenario consistent with the observed injuries, that Ms. Thompson was held down or held against something by hands pressing down on her in those areas. Both doctors stated that the injuries depicted in 10A-D were not new but were consistent with having occurred during the past week.

Medical Experts' Conclusions from all Evidence Reviewed

Both doctors commented during their consultations with the League's investigators on the overall picture presented by all the injuries they observed in the photographs they were asked to review. Dr. Thanning, the pathologist, stated that while it was clear that not every injury depicted in the photographs was consistent with having been sustained during the week of July 16-22, 2016, overall Ms. Thompson seemed "to have pretty much told the truth as well as she can remember." Dr. Giordano, the clinician, stated that if a young woman came into her Emergency Department with all the injuries that Dr. Giordano observed in the photographs she was asked to review, she would have concluded that someone was abusing this young woman and would have sat her down and tried to get her to tell the truth so she could help her. She stated that she was impressed with the number of injuries, the time period during which they must have been sustained, and their location on the body, all of which indicated to her that someone had been assaulting Ms. Thompson.

Text Message Evidence Post-July 22 Call to Police

Text messages between Ms. Thompson and her friends sent on July 22 and the days following her police report recovered from Ms. Thompson's phone discuss the injuries Ms. Thompson has alleged Mr. Elliott inflicted upon her. On July 22, at 12:24 p.m., her friend McKaila Blades was checking up on how Ms. Thompson was doing and said, "I have precious bruise pictures you've sent me if you need them for evidence."¹⁹⁰ On July 23, Ms. Thompson's friend Jordan Estep contacted her and asked her, "What's going

¹⁹⁰ See Exhibit 76.

on????,” to which Ms. Thompson responded, “People are really saying I didn’t have those bruises already on me when I was out Thursday night. Like you saw it all yourself before I went out.”¹⁹¹ On October 5, 2016, Ms. Estep was talking to Ms. Thompson about the NFL having contacted her and she wanted to know if Ms. Thompson had told them to call her. Ms. Thompson responded that she had didn’t tell the investigator to call her, that she just told the NFL who she had spoken to before going out that Thursday night and that Ms. Estep was one of them. Ms. Estep then expressed reluctance to speak to the investigator because of “all those texts the papers put out about you setting it all up and stuff...” Ms. Thompson responded, “Jord I didn’t set it up.. those texts were to set me up to be made out as a liar they aren’t all there! But you were on Facetime with me that Thursday around like 3ish in the afternoon.” Ms. Estep responded, “No I know you didn’t set it up, I just didn’t know what to say since they put you out to be a liar.” Ms. Thompson responded, “Whatever she asks just answer honestly.”¹⁹² Ms. Estep is one of the witnesses the League’s investigators attempted to interview but who did not call them back.

On July 22, Ms. Thompson also got a text from her friend B Shook asking her if she was okay and “did that happen last night?” She responded, “No. It’s been happening since Saturday night” and “It’s been happening since February. I called the police in Miami when he touched me but they took his side because I had no bruises just was red.”¹⁹³

A chat recovered from Ms. Thompson’s phone also bears on Ms. Thompson’s allegations of abuse. On August 14, 2016, at 4:48 a.m., Ms. Thompson reached out to her friend Shelia Lee (“Lee Lee”) and said, “After everything he did to me I still miss him so much,” “I really don’t know how to let go of him and us.” And a few minutes later, she wrote:

It’s like everything that’s going on with the law and stuff right now sucks so much for me and I know for him also. I know he’s doing his thing just like I’m doing mine but at the end of the day no matter what guy is making me happy I still go to bed thinking about him. Thinking about what I had to go through abuse wise and then just thinking about mine and his fun times and all the good memories we made. I really never thought me and big stinky freaky zekey would ever be done for good. But it hit me tonight that we are. I need you so much right now best friend.

Ms. Lee wrote back:

Sorry I was asleep ! And awe tiff I already know what your going thru trust me but you have to stay strong and at least wait till This whole thing blows over a little bit more because j know for sure he’s thinking the same thing you are it’s okay best friend he’s clearly not

¹⁹¹ See Exhibit 77, Text message exchange between Jordan Estep and Tiffany Thompson on 7/23/16.

¹⁹² See Exhibit 78, Text message exchange between Jordan Estep and Tiffany Thompson on 10/5/16.

¹⁹³ See Exhibit 79, Text message exchange B Shook and Tiffany Thompson 7/22/16 at 9:41 p.m.

done with you he follows you on snap he reacts when it comes to a guy his emotions and feelings are all still there.¹⁹⁴

On September 6, 2016, Ms. Thompson sent this statement via chat to her friend McKaila Blades, "Like this wasn't the first time he's beat my ass there's been many more."¹⁹⁵

Mr. Elliott's Allegations of Harassment by Ms. Thompson

Both Mr. Elliott and his attorneys told the League's investigators that Ms. Thompson continued to call and text Mr. Elliott after he left Columbus on July 26, 2016. They provided the League with records of what they say were Ms. Thompson's numerous calls.¹⁹⁶ In addition, the records provided on May 19, 2017 reflect that he called her twice on 8/1 and once on 8/2. His 8/2 call to her was followed by 6 calls back to him on 8/2. The records also show she called him on 8/8 one time. Starting on 9/2, his records show he received 8 calls that day from a blocked number, and a call from Ms. Thompson's phone number on 9/3. The records reflect that he called her on 10/23 and her calling him back. They appeared to have talked to each other on this latter call as it went on for 14 minutes and on another call that she made to him on 10/24, as that one went on for 20 minutes. She called him again on 10/30 for "1", twice on 11/16 and twice on 11/19, all for "1" except the very last one which was for "2".

Text messages recovered from Ms. Thompson's cell phone show that between October 12 and October 24, 2016, Ms. Thompson texted Mr. Elliott and told him that she was meeting with League investigator Kia Roberts. Ms. Thompson sent Mr. Elliott screenshots of text messages that she had exchanged with Ms. Roberts.¹⁹⁷

The PA also provided the League with a copy of the police report they filed in Dallas on September 5, 2016, alleging criminal harassment.¹⁹⁸ In his statement to the Dallas Police Department, Thompson had called him over 50 times from an anonymous number because Mr. Elliott had since blocked her old phone number. He also alleged that she had "hacked" into his email and obtained contact information for his associates and had been calling them. The Dallas Police Department did not make an arrest on that complaint. The League's forensic experts obtained the call log from Ms. Thompson's phone which went back to July 22, 2016. These records show that Ms. Thompson called Mr. Elliott approximately 67 times between July 22 – October 18, 2016, 42 of those calls were made on July 22 after Ms. Thompson had called 911.¹⁹⁹

¹⁹⁴ See Exhibit 83, Chat between Tiffany Thompson and Shelia Lee ("Lee Lee") 8/14/16.

¹⁹⁵ See Exhibit 84, Chat between Tiffany Thompson and McKaila Blades("Kai") 9/21/16.

¹⁹⁶ Exhibit 71, Records regarding alleged harassment of Ezekiel Elliott by Tiffany Thompson post-7/26/16.

¹⁹⁷ See Exhibit 100.

¹⁹⁸ See Exhibit 72, Frisco Police Department report dated 9/5/16.

¹⁹⁹ See Exhibit 73, Call log from Tiffany Thompson's phone 7/22/16-10/18/16.

The League's forensic experts also recovered evidence from Ms. Thompson's phone that she had registered an email address titled, "ezekelelliott sex vids" during the month of August, 2016. In addition, a text message with her friend McKaila Blades was recovered that showed them talking about their need to make more money and Ms. Thompson raised the idea of selling the sex tapes she had of herself and Mr. Elliott. Her friend Ms. Blades said they should blackmail Mr. Elliott with them, they'd be "millionaires." Ms. Thompson replied that she'd like to but was scared.²⁰⁰ When Ms. Thompson was asked about this by the League's investigators, she stated that she did have sex tapes of her and Mr. Elliott on her phone²⁰¹ and she did open the email account but she denied doing so to blackmail Mr. Elliott. Ms. Thompson was asked if she contacted anyone about selling the sex tapes and she responded, "No, I searched TMZ because I wanted the texts out about him being in the sauna all day for using drugs. It came out anyway from the prosecutor's office. I never used the e-mail address I'd made."²⁰²

INTERVIEW SUMMARIES

The following are summaries of the interviews conducted and represent the sum and substance of the interviews rather than word for word transcriptions.

Tiffany Thompson - September 26, 2016

Tiffany Marie Thompson was interviewed on September 26, 2016 in Columbus, Ohio by NFL Director of Investigations Kia Roberts and NFL Security Representative Kim Janke. Ms. Thompson stated that she is 20 years old and grew up in Columbus, Ohio. She also said that her highest level of education is a high school diploma, that she is unmarried and has no children. She also said that she is currently living at home and working at TIBA parking systems, and that she has held a variety of other positions at Elements Massage, Tan Pro, European Wax Center and Palm Beach Tan. She described herself as 5'5 ½" tall and said she weighs 117 lbs.

Ms. Thompson said that she first met Mr. Elliott, who she said was then a student at Ohio State, at a bar called Park Street on January 3, 2015, her 19th birthday. She explained that she did not know who Mr. Elliott was at the time but that she recognized "who he was with" as Joey Bosa. She further explained that she was "just walking around and then somehow [she and Mr. Elliott] bumped into each other and started talking." She said that they talked for the rest of that night after which they exchanged telephone numbers. She continued that they "probably texted for a good two and a half months" before they "finally like started hanging out." She said that they started "dating" in August and later said that she and Mr. Elliott officially became a "couple"

²⁰⁰ See Exhibit 74, Text message exchange between Tiffany Thompson and McKaila Blades 9/21/16.

²⁰¹ Mr. McCain, the League's forensic examiner said no sex tapes were recovered from Ms. Thompson's cell phone.

²⁰² See Exhibit 75, Screenshot of TMZ search and the e-mail account "ezekelelliott sex vids."

in August 2015 after a conversation she had with Mr. Elliott. She reported, "He sat me down and specifically said, 'I have feelings for you. I love you and I want us to go further with this.'" Ms. Thompson said that between January, when they first met, and August 2015, they were "taking things really slow" because of "his football lifestyle" and that she really didn't want to get "caught up into" it but that "the more [they] started hanging out and like getting to know each other, [she] started growing feelings for him."

She said that at the time of this conversation, Elliott was living in an apartment complex off campus called Kanneer located on Olentangy River Road. She also said that "probably" by October, she and Elliott were living together in an apartment complex off-campus at "1860 Canvasback Lane, which is in Watermarks in Greenview." When asked specifically when she and Mr. Elliott lived together, she said:

For about 3 months so, I don't know exactly, probably about Thanksgiving I was living there, so probably October until he left for Miami for training in January. But then there would be periods of time where I would leave for like a week and go home and stay with my family. And get like more of my stuff and all of that.

She explained that Mr. Elliott was paying the rent for this apartment and while she said "I don't know" in response to the investigator's question about who paid the utility bills, she said that Mr. Elliott's father may have been doing so at the time. She also explained that she was spending "a lot" of time at the apartment and "basically" just started living there. She said, "He never wanted me to leave." She confirmed that she had a key to this apartment and that she was not financially dependent on Mr. Elliott at this time, noting that she only became financially dependent on him when she "got pregnant" in February. She clarified that she found out about the pregnancy after her return from Miami on Valentine's Day, February 14, where she had visited Mr. Elliott and he "put his hands on [her]" prompting her to call the police. She indicated that she later "dropped the charges" against him.²⁰³

In response to specific questions about the February interaction in Miami, she said that it occurred when she visited Mr. Elliott at his apartment in Aventura and reported later in her interview that Mr. Elliott had been the one to pay for her flight as he had done for all other flights she had taken to see him. She stated, "I was there for like a week. And, there's this guy that I don't really feel comfortable around. That's his friend." She identified Mr. Elliott's "friend" as Drew²⁰⁴, whose last name she said she did not know, and further stated that she was uncomfortable around him because "he was leading him down the wrong path." Ms. Thompson explained that the night before the incident, she had been out with Mr. Elliott and she "got in the Uber by [herself] and went back home and he stayed with his friend Drew." She said that when Mr. Elliott returned home, she was packing her belongings "because he was making [her] feel uncomfortable." She said, "I've known

²⁰³ See Exhibit 24.

²⁰⁴ Later identified by the NFLPA to League investigators as Drew Tieman. The investigators made repeated attempts to speak to Mr. Tieman using the contact information provided to them by the NFLPA. Mr. Tieman did not respond to any contact attempts.

previously like in the past, like him messing around with other girls and like cheating. And I was okay with that, like I was perfectly fine. Sounds horrible but nowadays you have to be if you love someone, um, that's in that lifestyle." She clarified that she left the club because while she knew "previously in the past about [Mr. Elliott] messing around with other girls and cheating" and she was "okay with that," she thought that he was "whispering with Drew" while they were out about other sexual relationships he had in L.A. when he had been there the week before. She reported that she believed this was the case because she saw Mr. Elliott turn his head and "normally when he talks about things, he doesn't turn his head. He'll always includes me into the conversation."

She further reported that when she returned home, she started to pack her belongings and that Mr. Elliott returned around 3 or 3:30 a.m. and asked what she was doing in response to which she said she was leaving. She reported that Mr. Elliott was intoxicated when he came into the apartment and although she did not know how much he had to drink at the club, she knew this to be the case because "he was like just really angry." She said, "Like, when he drinks, it's, I don't know, it's just a different side to him. It's like he loses like all control of his self." Ms. Thompson stated that it was after she said she was leaving that "he just like loses full control." She told investigators that he was yelling at her, describing the volume as "probably about a 7 or 8" out of 10, and that she yelled back at him to stop. She confirmed that she had not consumed any alcohol that night and that she and Mr. Elliott were alone in the apartment.

She said that the verbal altercation turned into a physical one when she went "to grab [her] stuff and that's when he like pushes me." She stated that Mr. Elliott, who she said is 6' tall and weighs 225-230 lbs., used both hands to push her in the chest and that "It's like pinning me up against the like wall" of the spare bedroom. She continued, "I'm just standing there. Terrified. I keep trying to get around him to get my bags and stuff and he just keeps shoving me." She detailed that Mr. Elliott pushed her "probably about a good 4-6 times" and reiterated, "Pushing me with both hands and up against a wall." She then said, "And then he'll like push me again, like pin me up against the wall to stop me." She further reported that she could not recall if he was saying anything as he was pushing her but that she suffered injuries as a result of what Mr. Elliott had done. She said that she had bruising on her arms from thumbprints and when asked how she received bruises to her arm if Mr. Elliott was pushing her in the chest, she said:

He's pushing me with both hands and up against the wall. He then ended up grabbing my arms. Prior to that, he would yank me around, he's busted my jaw, from grabbing me, here in Columbus at 1860.

She also explained that Mr. Elliott kept pushing her back trying to get her away from her bags and that when she went around him, he grabbed her arm to stop her.

She told investigators that the altercation ended when “he realizes what he’s doing, like every other time” and said, “Just come to bed and lay down with me,” as well as, “Let’s rethink this in the morning.” Ms. Thompson said that she got into bed with him. She also reported:

So I wake up the next morning, perfectly fine, and then he literally like just blows up and takes all of my stuff and throws it out in front of his front door and then I try to go in the house to get the rest of my stuff and he open-hand shoves me in my chest into the wall and kind [of] like elbows me. Um, and I just like, I was like this isn’t okay. Like it’s just not. So, I called the police and made a report and then after that, that’s when we didn’t talk for a couple of weeks and then we came back in communication.

Ms. Thompson explained that she and Mr. Elliott began “arguing” again the next day at some point in the afternoon about her wanting to leave and said that while she was trying to retrieve the rest of her belongings, he shoved her into the wall and elbowed her, prompting her to call 911. She reported that police officers arrived in “probably 5 minutes, maybe less than that” and “pulled [Mr. Elliott] off to the side” to talk to him but did not make an arrest. In response to a specific question about whether the police officers explained to Ms. Thompson why they did not arrest Mr. Elliott, Ms. Thompson said, “They didn’t tell me why. They said because I had no physical injuries or anything, that they couldn’t arrest him.” She stated that after the police left, she called an Uber and went to a hotel. She reported that Mr. Elliott came to the hotel “that night, sits down, talks to me.” She stated that she could not recall what their conversation was about but said, “And then, I told him I was done with him. Like, I couldn’t do it anymore.” She detailed that Mr. Elliott called her the next day while she was “catching [her] flight, apologizing, saying I want you to have a safe flight, I’m sorry.”

In response to a direct question about her previous reference to other “incidents” between her and Mr. Elliott, Ms. Thompson said that she didn’t know exactly how many incidents had occurred but confirmed that there were “multiple.” She was asked about the incident when “he broke [her] jaw” and she responded:

He didn’t break it. Um, he yanked my arms and when he yanked my arms like in his apartment there’s a wall, that like goes like, it’s like kind of like in the way. Like when you walk back to the bathroom in his room. Um, there’s a wall right there so when he yanked my arms and I tried to like yank away from him, and he like tried to yank me back, that’s when my jaw like hit the corner of the wall.

She said that although she could not recall precisely when it occurred, this incident took place before the incident in February. She also said that she did not recall what she and Mr. Elliott were arguing about but said that their arguments were “just honestly about the dumbest stuff.” She further explained that after Mr. Elliott “yanked” her by the arms and she “yanked” back, she lost her balance and “then when he tried to yank me back, that’s when my jaw kind of cornered the wall.” She said about what next occurred, “After the jaw hit the wall, that’s when I told him, I always said like I couldn’t do it anymore and I just came back.” She also said, “I remember he went back to the bed and I was sitting down on the sofa and I called my friend McKaila and I

sent her pictures of my face because it was bruised and swollen.”²⁰⁵ She said that she told her friend “what had happened and everything. And then asked her to come and get me.” She also reported that she does not believe that her friend came to get her.

Ms. Thompson confirmed that she flew back to Columbus after the February incident in Aventura and that she did not speak to Mr. Elliott for a few weeks. She said,

When we start speaking again he just says I want to help you, um I love you so much. I would like to buy you an apartment and a car and prior to this, I had a stable like place to live with my family. Um, I’ve always kept a good job, like I’ve had like a car to drive. His thing was, my family was basically, I wouldn’t say keeping me from him, it’s just they knew what was going on and they didn’t really accept it.

In response to a question about what she believed her parents “knew,” she said that “they knew our arguments and like him just like mentally and physically tearing me down” and reported that it was her mother, Tessie Thompson, with whom she had discussed her issues with Mr. Elliott. She continued that she believed it was about two weeks after the Aventura incident that Mr. Elliott “signed for” her apartment. She said that Mr. Elliott was in Columbus at the time, living at “1860,” but that “his lease was up and my lease had been up, so instead of continuing his lease there he just wanted to go ahead and get me my own place so I could decorate it how I wanted and all that.” She further explained that he was the co-signer on the lease and that he gave her money every month to pay her bills. She estimated that Mr. Elliott gave her about \$1500 per month that she did not repay. She also said that Mr. Elliott leased her a car, a 2015 maroon Chrysler 200, that she said he told her he would pay off “as a gift” but did not do. She said that the last payment he provided to her was on July 11th and that she now makes the payments herself.

Ms. Thompson also told investigators that she found out she was pregnant on March 10th and told Mr. Elliott that day. She said that he was “speechless” and “didn’t really say much” but “came over [to her apartment] that night.” She continued:

And we sat down and talked and my friend Shelia was over there when we were talking. He was just like, I’m just not ready to be a dad and I mean I wasn’t ready to be a mom but then again, like I was. Um, so couple weeks go by, um I get on pre-natals, I go to a doctor, figure all that stuff out. Um, my family was really against abortion. Um, and I have always been too. But I just figured it would be the best for myself and him. Um, cause it was his rookie year. I didn’t want to see him, like anything stopping him or anything. Um, so, I went ahead and went through with the abortion and um, he was just right there by my side through it all.

Ms. Thompson said that while her interactions with Mr. Elliot were “perfectly fine” during her pregnancy, she was “bleeding really bad” and “needed” Mr. Elliott while Mr. Elliott was in Miami. She reported

²⁰⁵ During her interview, Ms. Thompson provided investigators with McKaila Blades’ telephone number.

that there were times when she would call him and he would not answer his phone and said, "Um, like so there times like he wasn't there supporting or anything. And then, um, when I did like tell him like I was scared for the abortion and stuff like I wanted to keep it, he was just like, 'No, no, no, no.' Just try and keep changing my mind." She further reported about the abortion, "I just thought it was best again for him and myself at the end of the day." She said that in April she flew with Sheila and Mr. Elliott's best friend Alvarez, to Chicago where that they all stayed in the same hotel, and Alvarez and Sheila went to Planned Parenthood with her and "sat with me through it all."

She said that Mr. Elliott was drafted in April and explained that she spent the week with him and his family in Chicago attending family events, shopping with his little sisters and celebrating with him the night of the draft.²⁰⁶ She said that Mr. Elliott flew to Dallas the following day and she drove back to Columbus with Mr. Elliott's friends. She reported that she and Mr. Elliott were together after the draft and that it was "perfectly fine." She said that she was "so happy for him" because "he always wanted to go to the Cowboys." She explained that she had "heard him talk about it so much" and said that she went down to Dallas in May and was there for two weeks. She further explained that Mr. Elliott was "showing her around" and telling her that he was thinking about buying a house. She said:

So then, um, I never really made it down there to look at houses with him. But like he would always like, when I was down there for the two weeks, he would show me houses like on the computer and stuff that he was interested in. So, um, I was going to, the talk was I was going to eventually move down there with him.

Ms. Thompson was next asked whether she and Mr. Elliott were a "couple" at the time of the July incident to which she responded that they were. She continued by explaining that she and Mr. Elliott "had actually been off and on for let's say about three weeks." She said that they were "just arguing" and that "things weren't like really going well." She reported that he then texted her "because he had some rough things going on his life" and said that she was the only one that he felt "comfortable" talking to about these issues. She elaborated and said:

It was like, prior to um, drugs and his partying um. He had been in Miami and um, found out when he went out to L.A. they were going to drug test him. And when he was in Miami, he was doing a bunch of um coke, and smoking and all of that. Um, and he like he texted me. I think I still have it. Yeah I still have the text and it was like, um 'I can never, like we can never be done. Um, I love you and you're the only one I could talk to about certain things.' And just like so forth. Like so on.²⁰⁷

²⁰⁶ Ms. Thompson provided investigators with photographs of herself and Mr. Elliott and his family at the Draft. See Exhibits 11A & B.

²⁰⁷ See Exhibit 87, Text message exchange between Tiffany Thompson and Ezekiel Elliott, 7/11/16.

Ms. Thompson said that she had seen Mr. Elliott use cocaine and marijuana before, and that she told him "it was going to be alright" and that he was going to pass the drug test. When asked if he passed the test, Ms. Thompson said:

He was taking a whole bunch of home drug tests. I remember him [] calling me in his hotel before he had to go to the BET awards and stuff. And, he kept calling me and was like, I keep taking all these, um, at home drug tests, and they're all like failing. And then, he told me after he took like the real actual one, like his pee was really diluted..

She then described the incidents that transpired between July 16 and July 21, 2106. She explained that she picked up Mr. Elliott and Alvarez from the Columbus airport on Saturday, July 16, after which they all went back to Mr. Elliott's apartment. She said that once there, she and Mr. Elliott "laid in the bed" where they were "cuddling and stuff" and then took a nap. She further reported that when they got up, they got "ready to go out" and then went to a club called Social on Park Street where Mr. Elliott "got bottle service." She reported that although she did not know how much he had to drink, she observed Mr. Elliott order a couple of bottles of champagne and a Patron bottle, and said that he was "very, very" drunk that night. She said that she drank a "couple of glasses of champagne" and did not feel drunk. She reported that they returned to his apartment early in the morning and that at about 4 or 5 in the morning, "a girl from Dallas was "Facetiming" him, and she asked him why she was calling.

She reported that she was just asking a "simple yes or no question" and that she wasn't yelling at him. Ms. Thompson reported that Mr. Elliott responded, "Why does it matter, I'm laying here in bed with you?" and then rolled over and "trie[d] to have sex" with her. She continued, "But I don't want to," and said that he then "tries to actually have anal and I tell him, 'No.'" She said that Mr. Elliott got "mad" and said, "Get up and go sleep on the couch that Alvarez isn't sleeping on," to which she said she replied, "No, I want to lay in bed with you." She told investigators that Mr. Elliott then got up, dragged her out of bed, "like yanks [her] out of bed" and then "pushes [her] up against the door by holding [her] with both of his hands." She said that the bedroom door was closed at the time and that Mr. Elliott then choked her and said, "What did I tell you?" before he tried to hit her and she tried to block the blow with her arm. She said he then "goes back and lays in bed like everything's fine." She further stated:

So then I just, I go and lay back down in bed, like I'm not going to have you sit there, and tell me what to do and tried to, like I'm a kid or something. Um, so I went and laid back down in bed and then I went back to sleep. So then, this was Sunday, that was Sunday morning.

Ms. Thompson stated that as result of this interaction, she "had the bruise somewhere, it was on either arm, of him hitting my arm, from me blocking the hit, and then I had, um, it was like this big, like print like on the side, like from him grabbing me."

Ms. Thompson said that she and Mr. Elliott may have woken up on Sunday or slept all day but recalled that on Monday night, Mr. Elliott told her that he was going to a hookah bar with his friends. She reported that she got ready to "hang out" with her own friends because she "wasn't going to stay in the house while he was doing something." She said that met her friends for dinner and that at around 7 or 8:00 p.m. while they were "out just walking around" downtown Columbus, she saw him and he called her name. She said that she ignored him "just because of everything that happened prior to that, I just kind of wanted to have my space and him have his space." She reported, "And he's goes, 'Okay that's cool, you're just going to ignore me. And then he texts me and says all of your stuff will be outside of my apartment when you get home.'" She confirmed that even though she had her own apartment at the time, she had "a lot" of personal items at Mr. Elliott's apartment. Ms. Thompson continued, "He doesn't come home that night. Come to find out, he went to a hotel with another girl."

Ms. Thompson said that she learned this the following morning, Tuesday, when Mr. Elliott returned to his apartment at about 8 a.m. She reported:

He's talking to Alvarez, and um, he wakes me up and goes, 'You gotta leave.' And I was like, 'Why? What did I do?' He doesn't really say much. He was just laughing. And then he goes and gets in the shower and I'm like, why are you showering? So instantly I knew. Like he didn't come home, um, I knew exactly what you were doing. So he showers and then um, he comes into the room, and starts talking to me and like we start arguing back and forth.

She said that she "questioned" him and "called him nasty and all this stuff," and that she started to cry because "obviously my feelings are hurt, like what girl, you love someone and you're dealing with that." She said that as she started to cry and gather her belongings, Mr. Elliott pushed her down on the bed with one hand to the middle of her chest. She also said that he was pushing on her shoulder. She said then "goes, 'No, I gave you the option to leave, you're not leaving now.'" Ms. Thompson said that it was at this point that she said she wanted to leave, saying "let me leave" and that he pushed her back down on the bed again and "goes stay." She said that he did this "a good handful of times." She said, "He was like, 'do not get up.'" She continued:

And I said, 'Am I your puppy dog?' And he says, 'Actually, you are. And then he walks out to the living room, grabs his phone or something. He takes my phone from me so I can't call anyone or text anyone. Takes my phone from me. So, I get up and I go out to the living room to try to get my phone back and he's like grabbing my arm like pushing me away, like stiff-arming me and stuff. Um, and then tells me to go back into the room, so I go back into his room and sit down. Um, he comes in, we're arguing, he shuts the door, I try to stand up and he keeps forcefully pushing me down onto the bed.

She further reported that Mr. Elliott was "hitting [her], yanking [her], the whole nine" and explained that he slapped her across the face "once or twice" and kept grabbing her face "really forcefully like with a tight

grip" while she looked away from him "because [she] didn't want to look him in the face." She stated that Mr. Elliott kept repeating that he had given her "an option to leave" and that she "didn't take it until [she] wanted to." She continued that he then pulled her hair and kept "shoving [her] and stuff," and stated that each time she "would try to get away," he would slap her or pull her hair after which she said she sat on the bed and looked away from him while he kept "grabbing" her face. She also said that he used his "pointer finger" to "point really hard, with the pressure point like right here," indicating her temple. She said that Alvarez observed all of Mr. Elliott's actions in the living room.

Ms. Thompson said that Mr. Elliott then started to cry and said, "I don't know what's gotten into me. Um, I love you, I'm sorry." She said that he also asked for a "last chance to change" and did so when he then went to hug her. She stated:

This is when he grabs me, tries to hug me, and say it's "tough love" And he's like, "please," he's crying while this is happening. He's like um, he's like, "I can't lose you. Just please give me a chance to change." And I'm just like, "I gave you so many chances." So, I laid down in bed with him and he goes, "I promise I'm going to change." He was like, "Please don't leave, just stay in bed with me all day."

She reported that she and Mr. Elliott stayed in bed all day on Tuesday and slept "on and off." She also said that as a result of Mr. Elliott's actions on Tuesday morning, she had bruises like "thumbprints on the back of [her] arms and on [her] elbows and stuff." She reported that she took photographs of the injuries²⁰⁸ and said that she believes she told her aunt, Elaine Glenn, on Wednesday about this incident. She also said that on that Wednesday a woman whose name she did not know came over to pack Mr. Elliott's boxes so she took a shower and got ready to leave. She told investigators that she went home "to get more of [her] stuff" because Mr. Elliott told her they were going out that night and while there, played with the puppy, a mini Australian Shepherd from Petland that Mr. Elliott had given her in March or April when she was pregnant. She said that she was trying to "pass time" that day while Mr. Elliott was "doing his stuff" at his apartment and that at about 4:00 p.m., Mr. Elliott called her while she was at the mall and said that he was "ready" to pick her up for dinner and make a trip to Petland to get dog bones.

Ms. Thompson said that she, Mr. Elliott and Alvarez went to Petland and then out to dinner at Genji before Mr. Elliott took her back to her apartment where she got "some stuff" before heading over to the Carriage House, Mr. Elliott's new "rental." She said that they went in to "check the place out" and to figure out who was staying in which room since Alvarez was staying there also. She said they then went to Fourth Street where Mr. Elliott had "multiple shots of Patron," "Grey Goose and vodka," "Grey Goose and Red Bull"

²⁰⁸ Investigators retrieved photographs from Ms. Thompson's phone after it was imaged on November 1, 2016 in Columbus, Ohio by NFL Director of Digital Forensics David McCain. Investigators did not have those photographs when meeting with Ms. Thompson on September 26, 2016.

and where she had a "couple drinks" of "Grey Goose and Red Bull." She said that she was "tipsy but [she] still knew exactly what was going on" and that Mr. Elliott was drunk.

She reported that she and Mr. Elliott left Fourth Street and returned to the Carriage House around 2:30-3:00 a.m. but that Alvarez was not with them when they did so. She explained that Mr. Elliott left Alvarez at Fourth Street because he wanted to drive Mr. Elliott home since Mr. Elliott had been drinking and Mr. Elliott wanted to drive himself home. She clarified that Alvarez was in the driver's seat of Mr. Elliott's car and that she was seated in the passenger's seat when Mr. Elliott yelled at Alvarez to get out of the car, saying "You're not driving, I am." She reported that Alvarez got out of the car after which Mr. Elliott got into the driver's seat and "just took off." She continued, "I'm screaming at him like, 'What are you doing? Why are you being dumb?' I didn't feel safe in the car. So, next thing I know, we get back to the Carriage House and just start arguing."

She said that Alvarez walked in at some point while they were arguing and that during this argument, Mr. Elliott "yanked [her] off the bed" in the main bedroom, picked her up and "threw" her against the storage closet across the hall. She said she fell to the ground and that while this was happening, they were "going back and forth about like everything that's happened in the past." Ms. Thompson said that she was still wearing her heels at this point and that Alvarez told Mr. Elliott to stop. She reported that they were "out in the hallway for a couple of minutes, just arguing back and forth about him and other girls and just us not getting along at all," before they went back into the bedroom and shut the door. She described what next occurred and reported:

I had said something like, I had said something like really, that made him really angry. And I don't remember what I said. But when I was heading to the laundry room to get something, and um, he attacked me.

Ms. Thompson said that Mr. Elliott "pinned" her to the floor and "started choking [her], and that this left "like a line across [her] neck, like a bruise." She also said that she had "thumb prints" from where he was "forcefully grabbing [her] arms." She stated that he hit [her] in the arms and "punched" her. She further reported that during the "choking incident," Mr. Elliott had her "pinned down to the floor for quite a while." She continued, "He then, um, was choking me with one hand and then started with both hands." She said, "And I started to not be able to breathe so I started kicking my legs. And then he got off of me." She said that she started to grab her belongings and Mr. Elliott said, "You're not leaving until tomorrow," to which she responded, "No, I'm leaving now. I need to call the police." She reported, "And he was like, 'You're not.' He was like, 'You're not calling the police. You're not getting them involved.'" She said that they started arguing again and that when she went to grab "her stuff," Mr. Elliott "pulled [her] away and pushed [her] into the side of the bed, to where like [her] hip hit the corner of it because the bed was so high."

She told investigators that by this point it was “probably about 5 a.m. and that she “just sat in the chair forever, bawling [her] eyes out.” She said that Mr. Elliott “came and grabbed” [her] and she told him to leave her alone, “like just let me sleep in this chair,” after which he went to bed and fell asleep. Ms. Thompson described how he “passed out instantly” and said, “That’s how intoxicated he was.” She said, “once he was asleep I went into the bed and like laid on the very edge of it and went to sleep until the next morning. And then when we woke up, um, and we were talking. Okay, so we were talking about what we were doing that night for his birthday.”

In response to a direct question about whether she told anyone about the incident that occurred on Wednesday, Ms. Thompson said that she spoke with her aunt, Jordan Estep, and Sheila Lee on Thursday. Ms. Thompson said that she took photographs of the injuries that she sustained during this incident the following day.

Ms. Thompson then described what transpired on Thursday evening. She said that she had gone home to her apartment to gather some clothing before returning to the Carriage House where she said, at around 10 p.m. while she was “doing her makeup and stuff,” Mr. Elliott came into the room and said, “You gotta leave.” She said that she responded by saying, “Why, what’s wrong?” and further stated:

He was just like I can’t believe what I’ve done to you. Um, he was like just come celebrate my party, my birthday with me, and then um, you can come home with me after. And then, I was like okay so then. Well then we sit down and talk and then I call my friend Ayrin. Well, my ex-friend Ayrin, um, to see if she wanted to go out. Um, and then I went over to her apartment. She saw all of the bruises on me. She saw my neck. She helped me try to cover up the bruises.

She explained that while she was with Ms. Mason, she talked to her about what was happening between her and Mr. Elliott and “making a report for domestic violence.” She said that she realized that she needed to go “further on with actions” and said that she called the non-emergency number at about 11:00 p.m., “right before [she] went out,” and asked about how to make a police report. She said that she was told to go to the police station in Columbus.

She continued that Mr. Elliott texted her and that she replied that she had called the non-emergency number. She said that he texted her back something like, “Where are you? Come celebrate with me,” as well as something like, “all you’re trying to do is ruin my birthday.” She said that she then went to the club where he was celebrating, went into his “section,” and said, “Happy birthday, I’m not trying to ruin your night or your birthday, but this does need to stop.” She further reported that she left his section after “probably about a good 5, 10 minutes” and walked around the club. She explained that she didn’t have anything to drink that night so she was ready to leave early and that when she left the club a girl came up behind her, pulled her hair and screamed at her. Ms. Thompson said that it was a “random girl” she had never seen before who pulled her hair and described her as “white, dark hair” and wearing “flats.” She said, “I’m guessing it was someone that he